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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में
रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a
separate compilation

भाग II—खण्ड 3—उप-खण्ड (II) PART II—Section 3—Sub-section (II)

(रक्षा मंत्रालय को छोड़ कर) भारत सरकार के मंत्रालयों द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं
Statutory Orders and Notifications Issued by the Ministries of the Government of India (other than
the Ministry of Defence)

वित्त मंत्रालय
(राजस्व विभाग)

आदेश

नई दिल्ली, 20 नवम्बर, 1991

का. भा. 2995.—भारत सरकार के संयुक्त सचिव ने, जिसे विदेशी
मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52)
की धारा 3 की उपधारा (1) के अधीन विशेष रूप से सशक्त किया गया
है, उक्त उपधारा के अधीन आदेश का. सं. 673/397/91-सी.गु.-8
दिनांक 1-10-1991 को यह निदेश जारी किया था कि श्री देवीवन्धु मनवन्धु
जैन, अरुण, ए-41, तीसरा तल, पार्वती मैनसन, अलीभाई प्रेमजी रोड,
ग्रैंट रोड, बम्बई-7 को निरुद्ध कर लिया जाए और केन्द्रीय कारागार बम्बई में
अभिरक्षा में रखा जाए ताकि उसे ऐसा कोई भी कार्य करने से रोका जा
सके जो विदेशी मुद्रा के संवर्धन के लिए हानिकारक हो।

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि
पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त
आदेश का निष्पादन नहीं हो सके;

3. अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की
उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करने हुए,

यह निदेश देती है कि पूर्वोक्त व्यक्ति इस आदेश के शासकीय राजपत्र में
प्रकाशन के 7 दिन के भीतर पृथिव प्रायुक्त, बम्बई के समक्ष हाजिर
हों।

[का. सं. 673/397/91-सी.गु.-8]

MINISTRY OF FINANCE
(Department of Revenue)

ORDER

New Delhi, the 20th November, 1991

S.O. 2995.—Whereas the Joint Secretary to the Govern-
ment of India, specially empowered under sub-section (1)
of section 3 of the Conservation of Foreign Exchange and
Prevention of Smuggling Activities Act, 1974 (52 of 1974)
issued under F. No. 673/397/91-CUS. VIII dated 1st Octo-
ber, 1991 under the said sub-section directing that Shri Devi
Chand Mulchand Jain @ Arun. A-41, 3rd Floor, Parvatl
Mansion, Alibhai Premji Road, Grant Road, Bombay-400007
be detained and kept in custody in the Central Prison,
Bombay with a view to preventing him from acting in any
manner prejudicial to the augmentation of foreign exchange;

2. Whereas the Central Government has reasons to believe
that the aforesaid person has absconded or is concealing
himself so that the order cannot be executed;

therefore, in exercise of power conferred by (c) of sub-section (1) of section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Bombay within 7 days of the publication of this order in the official Gazette.

[F. No. 673/397/91-CUS. VIII]

आदेश

का.प्रा. 3996.—भारत सरकार के संयुक्त सचिव ने, जिसे विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अधीन विशेष रूप से सशक्त किया गया है, उक्त उपधारा के अधीन आदेश फा. सं. 673/366/91-सी.शु.-8 दिनांक 27-8-1991 को यह निदेश जारी किया था कि श्री हबीब रजा हुसैन मर्चेंट मोहम्मद आदम गनी मर्चेंट, गनीबाई की बिल्डिंग, कान्वा मुम्ब्रा, जिला-थाने, महाराष्ट्र को निरुद्ध कर लिया जाए और केन्द्रीय कारागार, बम्बई में अभिरक्षा में रखा जाए ताकि उसे ऐसा कोई भी कार्य करने में रोका जा सके जो विदेशी मुद्रा के संवर्धन के लिए हानिकारक हो।

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके ;

3. अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि पूर्वोक्त व्यक्ति इस आदेश के शासकीय राजपत्र में प्रकाशन के 7 दिन के भीतर पुलिस प्रायुक्त, बम्बई के समक्ष हजरत हों।

[फा. सं. 673/366/91-सी.शु.-8]

ORDER

S.O. 2996.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued under F. No. 673/366/91-CUS. VIII dated 27th August, 1991 under the said sub-section directing that Shri Habib Reza Hussain Merchant @ Mohd, Adam Gani Merchant, Gani Bai ki Building Kansa Mumbra, District Thane, Maharashtra, be detained and kept in custody in the Central Prison, Bombay, with a view to preventing him from acting in any manner prejudicial to the augmentation of foreign exchange;

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of power conferred by clause (b) of sub-section (1) of section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Bombay within 7 days of the publication of this order in the official Gazette.

[F. No. 673/366/91-CUS. VIII]

आदेश

का.प्रा. 2997.—भारत सरकार के संयुक्त सचिव ने, जिसे विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अधीन विशेष रूप से सशक्त किया गया है, उक्त उपधारा के अधीन आदेश फा. सं. 673/286/91-सी.शु.-8 दिनांक 25-6-1991 को यह निदेश जारी किया था कि श्री अब्दुल जलील अब्दुल हमिद खान, 161, सी-29, प्रिन्सेस बिल्डिंग, प्रथम तल, 169, इब्राहिम रहमतुल्ला रोड, बम्बई को निरुद्ध कर लिया जाए और केन्द्रीय कारागार, बम्बई में अभिरक्षा में रखा जाए ताकि उसे ऐसा कोई भी कार्य करने में रोका जा सके जो विदेशी मुद्रा के संवर्धन के लिए हानिकारक हो।

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके ;

3. अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि पूर्वोक्त व्यक्ति इस आदेश के शासकीय राजपत्र में प्रकाशन के 7 दिन के भीतर पुलिस प्रायुक्त, बम्बई के समक्ष हजरत हों।

[फा. सं. 673/286/91-सी.शु.-8]

ORDER

S.O. 2997.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued under F. No. 673/286/91-CUS. VIII dated 25th June, 1991 under the said sub-section directing that Shri Abdul Jalil Abdul Hamid Khan, 161, C-29, Princess Building, 1st Floor, 169, Ibrahim Rahimtullah Road, Bombay-400003 be detained and kept in custody in the Central Prison, Bombay with a view to preventing him from acting in any manner prejudicial to the augmentation of foreign exchange;

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of power conferred by clause (b) of sub-section (1) of section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Bombay within 7 days of the publication of this order in the official Gazette.

[F. No. 673/286/91-CUS. VIII]

आदेश

का.प्रा.2998.—भारत सरकार के संयुक्त सचिव ने, जिसे विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अधीन विशेष रूप से सशक्त किया गया है, उक्त उपधारा के अधीन आदेश फा. सं. 673/274/91-सी.शु.-8 दिनांक 11-6-1991 को यह निदेश जारी किया था कि श्री पी. ए. हिदायतुल्ला पुत्र श्री अब्दुल सलाम, पुष्पूराम्बिल हाउस, नियर पुथुर मास्क, पेक्ना ईस्ट, चांगनाचेरी को निरुद्ध कर लिया जाए और केन्द्रीय कारागार, त्रिवन्ध्रम में अभिरक्षा में रखा जाए ताकि उसे ऐसा कोई भी कार्य करने में रोका जा सके जो विदेशी मुद्रा के संवर्धन के लिए हानिकारक हों।

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके ;

3. अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि पूर्वोक्त व्यक्ति इस आदेश के शासकीय राजपत्र में प्रकाशन के 7 दिन के भीतर पुलिस प्रायुक्त, त्रिवन्ध्रम के समक्ष हजरत हों।

[फा. सं. 673/274/91-सी.शु.-8]

ORDER

S.O. 2998.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued under F. No. 673/274/91-CUS. VIII dated 11th June, 1991 under the said sub-section directing that Shri P. A. Hidayathulla, son of Abdul Salam, Puthuparambil House,

Near Puthur Mosque, Perunna East, Changanacherry be detained and kept in custody in the Central Prison, Trivandrum with a view to preventing him from acting in any manner prejudicial to the augmentation of foreign exchange;

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of power conferred by clause (b) of sub-section (1) of section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the D.G. of Police, Kerala, Trivandrum within 7 days of the publication of this order in the official Gazette.

[F. No. 673/274/91-CUS. VIII]

आदेश

का.भा. 2999.—भारत सरकार के संयुक्त सचिव ने, जिसे विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अधीन विशेष रूप से सशक्त किया गया है, उक्त उपधारा के अधीन आदेश का. सं. 673/246/91-सी.शु.-8 दिनांक 30-5-1991 को यह निदेश जारी था कि श्री हैबर मोहम्मद सिबतैन, रहीमुद्दीन चालि, कमरा नं. 7, गोलिबर लैंस, सान्ताक्रुज (पू.) बम्बई-400055 को निरुद्ध कर लिया जाए और केन्द्रीय कारागार बम्बई में अभिरक्षा में रखा जाए ताकि उसे ऐसा कोई भी कार्य करने से रोका जा सके जो विदेशी मुद्रा के संवर्धन के लिए हानिकारक हों।

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके;

3. अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि पूर्वोक्त व्यक्ति, इस आदेश के शासकीय राजपत्र में प्रकाशन के 7 दिन के भीतर पुलिस आयुक्त बम्बई के समक्ष हाजिर हों।

[फा. सं. 673/246/91-सी.शु.-8]

ORDER

S.O. 2999.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued under F. No. 673/246/91-CUS. VIII dated 30th May, 1991 under the said sub-section directing that Shri Haider Mohd. Sibtain, Rahimuddin Chawl, Room No. 7, Golibar Lane, Santa Cruz (E), Bombay-400055 be detained and kept in custody in the Central Prison, Bombay with a view to preventing him from acting in any manner prejudicial to the augmentation of foreign exchange;

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of power conferred by clause (b) of sub-section (1) of section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Bombay within 7 days of the publication of this order in the official Gazette.

[F. No. 673/246/91-CUS. VIII]

आदेश

का.भा. 3000.—भारत सरकार के संयुक्त सचिव ने, जिसे विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अधीन विशेष रूप से सशक्त किया गया है, उक्त उपधारा के अधीन आदेश का. सं. 673/213/91-सी.शु.-8

दिनांक 7-5-1991 को यह निदेश जारी किया था कि श्री पी. अब्दुल मजीद पुत्र आ. मोहम्मद, पाराडन हाउस, कोडिनजी रोड, चेंममड, पो. तिरुराडी, मलपुरम, केरल को निरुद्ध कर लिया जाए और केन्द्रीय कारागार त्रिवेन्द्रम में अभिरक्षा में रखा जाए ताकि उसे ऐसा कोई भी कार्य करने से रोका जा सके जो विदेशी मुद्रा संवर्धन के लिए हानिकारक हों।

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके,

3. अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि पूर्वोक्त व्यक्ति इस आदेश के शासकीय राजपत्र में प्रकाशन के 7 दिन के भीतर पुलिस आयुक्त, त्रिवेन्द्रम के समक्ष हाजिर हों।

[फा. सं. 673/213/91-सी.शु.-8]

ORDER

S.O. 3000.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued under F. No. 673/213/91-CUS. VIII dated 7th May, 1991 under the said sub-section directing that Shri P. Abdul Majced, son of Mohammed, Paradan House, Kodinji Road, Chemmad, Tirurangadi (P.O.), Malappuram District, Kerala be detained and kept in custody in the Central Prison, Trivandrum with a view to preventing him from acting in any manner prejudicial to the augmentation of foreign exchange.

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of power conferred by clause (b) of sub-section (1) of section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the D.G. of Police, Kerala, Trivandrum within 7 days of the publication of this order in the official Gazette.

[F. No. 673/213/91-CUS. VIII]

आदेश

का.भा. 3001.—भारत सरकार के संयुक्त सचिव ने, जिसे विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अधीन विशेष रूप से सशक्त किया गया है, उक्त उपधारा के अधीन आदेश का. सं. 673/203/91-सी.शु.-8 दिनांक 30-4-1991 को यह निदेश जारी किया था कि श्री लक्ष्मीकान्त राज पिल्लई आर. एच. एल. धी.-24 सेक्टर-8 बासी बम्बई-400 073 को निरुद्ध कर लिया जाए और केन्द्रीय कारागार बम्बई में अभिरक्षा में रखा जाए ताकि उसे ऐसा कोई भी कार्य करने से रोका जा सके जो विदेशी मुद्रा के संवर्धन के लिए हानिकारक हों।

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके;

3. अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि पूर्वोक्त व्यक्ति इस आदेश के शासकीय राजपत्र में प्रकाशन के 7 दिन के भीतर पुलिस आयुक्त बम्बई के समक्ष हाजिर हों।

[फा. सं. 673/203/91-सी.शु.-8]

ORDER

S.O. 3001.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued under F. No. 673/203/91-CUS. VIII dated 30th April, 1991 under the said sub-section directing that Shri Laxmikant Raj Pullai, R. H. L. B-24, Sector-8, Vashi, New Bombay, Bombay-400073 be detained and kept in custody in the Central Prison Bombay, with a view to preventing him from acting in any manner prejudicial to the augmentation of foreign exchange;

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of power conferred by clause (b) of sub-section (1) of section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Bombay within 7 days of the publication of this order in the official Gazette.

[F. No. 673/203/91-CUS. VIII]

आदेश

का. घा. 3002.—भारत सरकार के संयुक्त सचिव ने जिसे विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अधीन विशेष रूप से सशक्त किया गया है, उक्त उपधारा के अधीन आदेश फा. सं. 673/197/91—सी. शु.-8 दिनांक 29-4-1991 को यह निदेश जारी किया था कि श्री महेश चुनोलाल वखारिया, 1101 बालैक एपार्टमेंट्स स्टैटर रोड, ग्रांट रोड, बम्बई-400007 को निरुद्ध कर लिया जाए और केन्द्रीय कारागार बम्बई में अभिरक्षा में रखा जाए ताकि उसे ऐसा कोई भी कार्य करने से रोका जा सके जो विदेशी मुद्रा के संवर्धन के लिए हानिकारक हो।

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके ;

3. अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि पूर्वोक्त व्यक्ति इस आदेश के शासकीय राजपत्र में प्रकाशन के 7 दिन के भीतर पुलिस आयुक्त, बम्बई के समक्ष हजरि हों।

[फा. सं. 673/197/91—सी. शु.-8]

ORDER

S.O. 3002.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued under F. No. 673/197/91-CUS. VIII dated 29th April, 1991 under the said sub-section directing that Shri Mahendra Chuni Lal Vakharia, 1101, Wallace Apartments, Slater Road, Grant Road, Bombay-400007 be detained and kept in custody in the Central Prison, Bombay with a view to preventing him from acting in any manner prejudicial to the augmentation of foreign exchange;

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of power conferred by clause (b) of sub-section (1) of section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Bombay within 7 days of the publication of this order in the official Gazette.

[F. No. 673/197/91-CUS. VIII]

आदेश

का. घा. 3003.—भारत सरकार के संयुक्त सचिव ने जिसे विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अधीन विशेष रूप से सशक्त किया गया है, उक्त उपधारा के अधीन आदेश फा. सं. 673/178/91—सी. शु.-8 दिनांक 19-4-1991 को यह निदेश जारी किया था कि श्री पृथ्वीराज एम. शेटी मेघवाया बिल्डिंग प्रथम तल गुजदार बैंड रोड, शान्ताक्रुज (प.) बम्बई-400 054 को निरुद्ध कर लिया जाए और केन्द्रीय कारागार बम्बई में अभिरक्षा में रखा जाए ताकि उसे ऐसा कोई भी कार्य करने से रोका जा सके जो विदेशी मुद्रा के संवर्धन के लिए हानिकारक हो।

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके ;

3. अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि पूर्वोक्त व्यक्ति इस आदेश के शासकीय राजपत्र में प्रकाशन के 7 दिन के भीतर पुलिस आयुक्त, बम्बई के समक्ष हजरि हों।

[फा. सं. 673/178/91—सी. शु.-8]

ORDER

S.O. 3003.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued under F. No. 673/178/91-CUS. VIII dated 19th April, 1991 under the said sub-section directing that Shri Prithviraj M. Shetty, Meghchaya Building, 1st Floor, Gujdar Band Road, Shantacruz (W), Bombay-400054 be detained and kept in custody in the Central Prison, Bombay with a view to preventing him from acting in any manner prejudicial to the augmentation of foreign exchange;

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of power conferred by clause (b) of sub-section (1) of section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Bombay within 7 days of the publication of this order in the official Gazette.

[F. No. 673/178/91-CUS. VIII]

आदेश

का. घा. 3004.—भारत सरकार के संयुक्त सचिव ने जिसे विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अधीन विशेष रूप से सशक्त किया गया है, उक्त उपधारा के अधीन आदेश फा. सं. 673/140/91—सी. शु.-8 दिनांक 26-2-1991 को यह निदेश जारी किया था कि श्री के. अब्दुल रहमान पुत्र श्री अब्दुल कादिर कोशाम्बियाकम हाउस, पोतानी नगरम (पो. भा.) जिला-मलपुरम को निरुद्ध कर लिया जाए और केन्द्रीय कारागार त्रिचेन्नम में अभिरक्षा में रखा जाए ताकि से ऐसा कोई भी कार्य करने से रोका जा सके जो विदेशी मुद्रा के संवर्धन के लिए हानिकारक हो।

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके ;

3. अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि पूर्वोक्त व्यक्ति इस आदेश के शासकीय राजपत्र में प्रकाशन के 7 दिन के भीतर पुलिस आयुक्त त्रिवेन्द्रम के समक्ष हाजिर हों।

[फा. सं. 673/140/91—मौ. शु.-8]

रूप चन्द अवर सचिव

ORDER

S.O. 3004.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued under F. No. 673/140/91-CUS, VIII dated 26th February, 1991 under the said sub-section directing that Shri K. Abdul Rahiman, son of Abdul Kader, Kudambiyakam House, Ponnani Nagaram (P.O.), Malappuram District be detained and kept in custody in the Central Prison, Trivandrum with a view to preventing him from acting in any manner prejudicial to the augmentation of foreign exchange;

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed;

3. Now, therefore, in exercise of power conferred by clause (b) of sub-section (1) of section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the D.G. of Police, Kerala, Trivandrum within 7 days of the publication of this order in the official Gazette.

[F. No. 673/140/91-CUS. VIII]

ROOP CHAND, Under Secy.

भारतीय रिजर्व बैंक

(विदेशी मुद्रा नियंत्रण विभाग)

बम्बई, 11 नवम्बर, 1991

(अधिसूचना सं. फेर 97/91-आर.बी.)

भारतीय करेंसी का भिद्यति

का. आ. 3005.—विदेशी मुद्रा विनियम अधिनियम, 1973 (1973 का 46) की धारा 13 की उपधारा (2) के अनुसरण में रिजर्व बैंक दिनांक 9 अगस्त 1989 को अपनी अधिसूचना सं. फेर 80/48 आरबी में तत्काल प्रभाव से निम्नलिखित संशोधन करता है, यथा—

उपरोक्त अधिसूचना के खंड (ii) में "100 रुपये अथवा इससे ऊपर" वाक्यांश के स्थान पर "100 रुपये से ऊपर" वाक्यांश प्रतिस्थापित किया जाएगा।

[स. एफ. 1/11/ई सो/89]

RESERVE BANK OF INDIA

(Exchange Control Department)

Bombay, the 11th November, 1991

(Notification No. FERA 97/91-RB)

Export of Indian Currency

S.O. 3005.—In pursuance of sub-section (2) of Section 13 of Foreign Exchange Regulation Act, 1973 (46 of 1973), the Reserve Bank hereby makes the following amendment with immediate effect, in its Notification No. FERA 80/89 RB dated 9th August, 1989, namely :—

in clause (ii) of the said Notification, for the expression "Rs. 100 or higher", the expression "above Rs. 100", shall be substituted.

[No. F. 1/11/EC/89]

(अधिसूचना संख्या फेर. 97/91—आर.बी.)

भारतीय करेंसी का आयात

का. आ. 3006.—भारत सरकार दिनांक 1 जनवरी 1975 का अधिसूचना सं. एफ. 1/107/ई.सी. 73 के अनुसरण में, रिजर्व बैंक दिनांक 9 अगस्त 1989 को अपनी अधिसूचना सं. फेर 81/89 आरबी में तत्काल प्रभाव से निम्नलिखित संशोधन करता है, यथा—

उपरोक्त अधिसूचना के खंड (ii) के स्थान पर निम्नलिखित खंड प्रतिस्थापित किया जाएगा :

"(ii) किसी व्यक्ति को भारत में नेपाल से भारत सरकार और भारतीय रिजर्व बैंक के करेंसी नोट (100 रुपये से ऊपर के मूल्य-वर्ग के नोटों में इन नोट आने के लिए अनुमति देने हेतु"।

[स. एफ. 1/11/ई.सी. 89]

ए० घोष, उप गवर्नर

(Notification No. 1-ERA-96/91-RB)

Import of Indian Currency

S.O. 3006.—In pursuance of the Notification of the Government of India, in the Ministry of Finance No. F. 1/107/EC-73 dated the 1st January 1974, the Reserve Bank hereby makes the following amendment, with immediate effect, in its Notification No. FERA 81/89 RB dated 9th August, 1989, namely—

"(ii) to permit any person to bring into India from Nepal currency notes of the Government of India and Reserve Bank of India notes (other than notes of the denominations of above Rs. 100)."

[No. F. 1/11/EC/89]

A. GHOSH, Deputy Governor

वाणिज्य मंत्रालय

(मुख्य निबंधक आयात, निर्यात का कार्यालय)

नई दिल्ली, 14 नवम्बर, 1991

आदेश

का. आ. 3007.—मैसर्स वेस्टर्न आउटडोर एडवर्टाइजिंग (प्रा.) लि. गर विजयवाम बैम्बई, 16 बम्बई समाचार मार्ग, बम्बई - 400023 को जापान, हांगकांग, संयुक्त राज्य अमेरिका, यूनाइटेड किंगडम में थ्रीडियो मापट-बैयर जेनरेशन इन्विजुमेंट के आयात हेतु 28,98,000 रुपये का एक आयात लाइसेंस सं. पी/सी जी/2126218 दिनांक 12-4-90 मंजूर किया गया था।

2. पार्टी ने उक्त आयात लाइसेंस को सीमाशुल्क प्रयोजन प्रति की अनुमति प्रति इस आधार पर जारी करने के लिए आवेदन किया है कि उपरोक्त आयात लाइसेंस को मूल सीमाशुल्क प्रयोजन प्रति दिल्ली सीमाशुल्क हाउस, दिल्ली के साथ पंजीकृत किए जाने और वार्षिक रूप से प्रयुक्त कर लिए जाने के बावजूद है।

3. अपने तर्कों के समर्थन में लाइसेंसधारी ने नोटरी, ग्रेटर बम्बई, महाराष्ट्र राज्य के समक्ष विधिवत् शपथ लेकर स्टाम्प पेपर पर एक हलफ-नामा वाखिल किया है। तदनुसार मैं संतुष्ट हूँ कि आयात लाइसेंस सं. पी/सी जी/2126218, दिनांक 12-4-90 की सीमाशुल्क प्रयोजन प्रति खो गई है। यथा संशोधित आयात नियंत्रण अधिनियम, 1955, दिनांक 7-12-1955 के उपखंड 9 (भाग) के अन्तर्गत प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स वेस्टर्न आउटडोर एडवर्टाइजिंग (प्रा.) लि. बम्बई के पक्ष में जारी की गई आयात लाइसेंस सं. पी/सी जी/2126218, दिनांक 12-4-90 को उक्त सीमाशुल्क प्रयोजन प्रति एन्वडारा निरस्त की जाती है।

4. उपरोक्त निरस्त की गई प्रति के बदले पार्टी को अलग से एक दूसरी सीमाशुल्क प्रयोजन प्रति जारी की जा रही है।

[सं. 1507/40/89 - 90 सी जी - 1, 243]

एस. के. भारद्वाज, उप मुख्य निबंधक, आयात-निर्यात

MINISTRY OF COMMERCE

(Office of the Chief Controller of Imports and Exports)

New Delhi, the 14th November, 1991

S.O. 3007.—M/s. Western Outdoor Advertising (Pvt.) Ltd., Sir Vithaldas Chambers, 16, Bombay Samachar Marg, Bombay-400023 were granted an Import Licence No. P/CG/2126218 dated 12-4-90 for Rs. 28,98,000 for import of Video Software Generation Equipments from Japan/Hongkong/USA/UK.

2. The Party has applied for issue of Duplicate Copy of Customs Purpose Copy of the above mentioned Import Licence on the grounds that the Original Customs Purpose Copy of above I/L has been lost after having been registered with Delhi Customs House, Delhi and utilised partly.

3. In support of their contention, the Licensee has filed an Affidavit on Stamped Paper duly sworn in before the Notary, Greater Bombay, State of Maharashtra. Accordingly, I am satisfied that the Customs Purpose Copy of I/L No. P/CG/2126218 dated 12-4-90 has been lost. In exercise of the powers conferred under sub-clause 9 (CC) of the Import (Control) Order, 1955 dated 7-12-1955, as amended the said Customs Purpose Copy of I/L No. P/CG/2126218 dated 12-4-90 issued in favour of M/s. Western Outdoor Advertising (P) Ltd. Bombay is hereby Cancelled.

4. A duplicate Customs Purpose Copy in lieu of above Cancelled Copy is being issued to the party, separately.

[No. 1507/40/89-90-CG-I/245]

S. K. BHARDWAJ, Dy. Chief Controller of Imports and Exports

खाद्य एवं नागरिक पूर्ति मंत्रालय

(नागरिक पूर्ति विभाग)

भारतीय मानक ब्यूरो

नई दिल्ली, 1991 नवम्बर 13

का. आ. 3008.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम 1988 के उपनियम (5) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन लाइसेंसों के विवरण नीचे अनुसूची में दिए गए हैं, वे स्वीकृत कर दिए गए हैं :

अनुसूची

क्रम लाइसेंस संख्या	वैधता की अवधि	लाइसेंसधारी का नाम और पता	लाइसेंस के अधीन वस्तु/प्रक्रिया	भारतीय मानक की संख्या
(1)	(2)	(3)	(4)	(5)
1. 2247650	91-06-16	ओतबानी इलेक्ट्रिक कं. लि., बी-60, सेक्टर 10, नोएडा 201 301	बिजली की इस्तरी, लोहे की ढलवां तल प्लेट सहित, 750 वा, 230 वो	IS : 00366 : 85
2. 2247751	91-06-16	भारत स्टील इंडस्ट्रीज, ए-1 से ए-3 इंड. एस्टेट, मोला-ग्रली, हैदराबाद 500 040	बेल्टनीय संरचना इस्पात ग्रेड 410 डब्लू ए	IS : 02062 : 84
3. 2247852	91-06-01	राजस्थान वनस्पति प्राइवेट्स लि, पो. बा. नं. 1 हमीरगढ़ रोड, भीलवाड़ा 321 001	वनस्पति	IS : 10633 : 86
4. 2247953	91-06-16	सेन्सोयर्स, 143-ए गवर्नमेन्ट इंड एस्टेट, खंडीवली (पू) बम्बई 400 067	1100 वो तक कार्यकारी वोल्टता के लिए खोलदार/ और खोलरहित तांबे के बालक वाली पी वी सी रोधित केबल	IS : 00694 : 77
5. 2248046	91-06-16	प्रिया इलेक्ट्रानिक्स, जे-346, एम आई डी सी, भोसारी, पुणे 411 026	ग्रंथ संघारित 5 के वी ए आर, 415/440 वो सहित, ताप संवर्ग 50° से. एम पी पी, सेल्फ हीलिंग राइप	IS 02834 : 86

(1)	(2)	(3)	(4)	(5)	(6)
6	2248147	91-06-16	हिन्दुस्तान रबर्स, प्लाट नं. 81-84, अच्छाड इंड एस्टेट, नेशनल हाइवे नं. 8, अच्छाड, तहसील-तालीसारी, जि-ठाणे-401 606	रबड़ के सामान्य प्रयोजी कन- वेयर और उत्पापक	IS : 01891 : 88
7	2248248	91-06-16	फाइब्रोलाइट एन्टरप्राइजेज, 1-8-449 पुलिस लाइन के मामने, सिकन्द्राबाद (आ. प्र.) 500 003	कांच रेणा प्रबलित पॉलीएस्टर रेजिन (जी आर पी) के खुड्डी टाइप शौचपात्र सम्पर्क मंचकन टाइप	IS : 11246 : 85
8	2248349	91-06-16	राम्मी सीमेन्ट लि., विष्णुपुरम डा-वाडापल्ली, गिरियालागुडा तालुक जि-नलगोडा, (आ. प्र.) 508 355	पोर्टलैंड बोजलाना सीमेन्ट	IS : 01489 : 76
9	2248450	91-06-16	विनोद एन्टरप्राइजेज, जि-धार (आ. प्र.)	33 ग्रेड साम्राज्य पोर्टलैंड सीमेन्ट	IS : 00269 : 89
10	2248551	91-06-16	हिन्दुस्तान बेजीटेब्लस आयल कारपो. लि., 4 कालपी रोड, कानपुर 208 012	वनस्पति पैकिंग के लिए नम्य पैक, 1 किग्रा धारिता, केवल	IS : 11352 : 86
11	2248652	91-06-16	मंगलम पैन्ट्स, 32/363 मस्जिद रोड, पलारीवाकट्टम, कोचीन 682 025	वांछित रंग के सीमेन्ट रोगन	IS : 05410 : 69
12	2248753	91-06-16	दुर्गेश ह्यूम पाइप, 551/352 ग्रा-नपरावत, डा-नजफगढ़ नई दिल्ली-110043	पूर्वप्रतिबलित कंक्रीट पाइप, श्रेणी एन पी 2, साइज 250 मिमी	IS : 00458 : 88
13	2248854	91-06-16	स्टैंडर्ड केमिकल, 11/10 इंड एस्टेट, कालुंगा, जि-सिकन्द्राबाद (उड़ीसा) 770 031	एक डम घूनी डुप्पीकेटिंग स्पाही	IS : 01333 : 78
14	2248955	91-06-16	चिमनवास अशोक कुमार इंजी- नियरिंग वर्क्स, अर्जता वर्क्स, जलगांध	साफ, ठंडे, ताजे पानी के लिए निसरजय पम्प सैट साइज कं. -1758	IS : 08034 : 89
15	2249048	91-06-16	प्रेम खालसा आयरन एंड स्टील रोलिंग मिल्स गुरू की नगरी, मंडी गोविन्दगढ़ (पंजाब)	एच एस डी सरिंग, ग्रेड एफ ई 415 साइज 8 से 16 मिमी (10 मिमी को छोड़कर)	IS : 1786 : 85

(1)	(2)	(3)	(4)	(5)	(6)
16.	2249149	91-06-16	बंगया वास्तुशिल्प प्रतिष्ठान, 45/1 मधुसूदन बनर्जी रोड, कलकत्ता-700 083	80 मिमी (सांके माइज) व्यास एम्बेस्ड्ड सीमेंट बिल्डिंग पाइप, एक साकेट, 2 मीटर लम्बाई	IS : 01626 : 80 भाग : 01
17.	2229250	91-06-16	ग्रामर इंजीनियरिंग वर्क्स, 4/सी, सालकिया स्कूल रोड, मालकिया, हावड़ा-711 106	सामान्य प्रयोजी बेल्वें	IS : 00274 : 81 भाग : 01
18.	2249351	91-06-16	टेक्सो इंडस्ट्रीज, 42 साउथ स्ट्रीट नं. 2, गणपति डा, अवरमपलायर कोयम्बतूर 641 006	जेट अपकेंद्री पम्प संयोजन टाइप टी वी जे 801	IS : 12225 : 87
19.	2249452	91-06-16	एनवेस्ट, 48 थाडागम, बेलेन्डीपलायम, कोयम्बतूर-641 025	जेट अपकेंद्री पम्प संयोजन बी एच 1 और वी एच 2	IS : 12225 : 87
20.	2249553	91-06-16	भारत पुलवराईजिंग मिल्स, 1074 थिरुकोटियूर हाई रोड, मद्रास-600 019	फास्फोमिडान 85% डब्लू एस पी	IS : 06177 : 81
21.	2249654	91-06-16	पारस एप्लाईसेज, बी-10, सेक्टर-8, नौएडा, जि-गाजियाबाद	अचल, भंडारण टाइप बिजली के पानी गर्म करने के हीटर, बेन्ट टाइप, साधारण, 25 से 50 लिटर धारिता	IS : 02082 : 85
22.	2249755	91-06-16	सूर्या रोशनी लि, 7 किमी, काशीपुर-मुरादाबाद रोड, काशीपुर-244 713	उच्च दाब वाले सोडियम वाष्प लैम्प 250 वा, मोन टाइप	IS : 09974 : 89 भाग : 01
23.	2249856	91-06-16	आकनैड होनिङ्स लि., (अंबिका मिल्स की इकाई) 3 हीरेन मुखर्जी रोड, वेलूर मठ, जि-हावड़ा, (प. ब.)-711 202	खाद्यान्न पैकिंग के लिए बी ट्रिबल परमन के कट्टे	IS : 02566 : 84
24.	2249957	91-06-16	डेल्टा जूट एंड इंडस्ट्रीज लि., ग्रा-मानिकापुर, डा-डेल्टा मिल, जि-हावड़ा (प. ब.)	सीमेंट पैकिंग के लिए पटमन के सैकिंग कट्टे	IS : 02580 : 82
25.	2250033	91-06-16	नेशनल इंजीनियरिंग इंडस्ट्रीज लि., (रबड़ डिब्बीजन), 2 बेरपाड़ा लेन, दमदम, कलकत्ता-700 030	द्रवित पेट्रोलियम गैस के लिए रबड़ की नम्य नली, सांके- तिक व्यास माइज 6.4 मिमी केवल	IS : 10908 : 84

(1)	(2)	(3)	(4)	(5)	(6)
26.	2250134	91-06-16	ग्रॉकलैंड होल्डिंग्स लि., (इकाई-अविका मिल्स) 3 हीरेन मुखर्जी रोड, बेलूर मठ, जि-हावड़ा, (प. ब.) 711 202	ए-ट्रिबल पटसन के कट्टे	IS : 01943 : 64
27.	2250235	91-06-16	इडिया मेटल इंडस्ट्रीज, पारेख नगर, एस. वी. रोड, कंडीवली (पश्चिम), बम्बई-400 067	स्टेनलैस इस्पात के प्रेशर कुकर 7.5 लिटर धारिता	IS : 02347 : 87
28.	2250336	91-06-16	बजाज मिटर्स, 69 लक्ष्मीनगर, 50 फीट रोड, तिरुपुर-688 602	सादा बुनी सूती बनियान, टाइप आर एन और आर एन एस, साइज 75 से 110 सेमी गेज 24 केवल	IS : 04964 : 80
29.	2250437	91-06-16	हाइ टैंक होम एप्लाइंसेज, नं. 4, पाउडर मिल रोड, मद्रास-600 012	द्रवों के साथ प्रयुक्त घरेलू गैस चूल्हे स्टेनलैस इस्पात, दो बर्नर पीतल के	IS : 04246 : 84
30.	2250538	91-06-16	प्रीमियर मेटल वर्क्स, 458/2 के.एन. जी पुरुर रोड सुब्रह्मयन पलायम, जी. एन. मिल्स डा, कोयम्बतूर-641 029	गैर दाब स्टोव, केशिका पूरित, बहुवर्ती टाइप	IS : 02980 : 86
31.	2250639	91-06-16	मिकी वायर वर्क्स, मिहीलांग, रांची-834 001	पूर्व प्रतिबलित कंक्रीट हेतु वांतेदार दार	IS : 06003 : 83
32.	2250740	91-06-16	मोतीलाल पैस्टीसाइड्स (इडिया) प्रा लि, भसानी, मथुरा (उ. प्र.)-281 003	बी एच सी 6.5 % (घ/द्र डब्लू डी पी सी फार्मूलेशन	IS : 50562 : 78
33.	2250841	91-06-16	बी. डी. खेतान एंड कं., बीरेन राय रोड (पश्चिम) मयानगढ़, महेशताला, जि-24 परगना (प. ब.)	कैप्सूलबंद वांतेदार फोरेट 10% (घ/द्र) केवल	IS : 09359 : 80
34.	2250942	91-06-16	मिकी वायर वर्क्स, मिहीलांग, रांची-834 001	पूर्वप्रतिबलित कंक्रीट हेतु अलेपित विकृति मुक्त लड़, 3 प्लाई, 3 मिमी साइज	IS : 06006 : 83
35.	2251035	93-06-16	बेनटेक्स इलेक्ट्रिकल्स, बी.-65, हाउस, गली नं. 1, नारायणा हंड. एरिया फेज 2, नई दिल्ली-110028	बिजली के ए सी मीटर, एक फेजी, सम्पूर्ण धारा वाट घंटा मीटर, श्रेणी 2, 240 वो, 2.5 से 5 एम्प और 5 से 10 एम्प	IS : 00722 : 76 भाग : 02
36.	2251136	91-06-16	विम्ब कैमीकल्स, 4/1 नीलिगन रोड, दुबली-580 009	रोगाणुनाशी द्रव, काला, श्रेणी-ए ग्रेड-3, टाइप-सामान्य केवल	IS : 01061 : 82

(1)	(2)	(3)	(4)	(5)	(6)
37.	2251237	91-06-16	माइक्रोबायोटेक लैबोरेट्रीज, (यूनिट 2), कुम्भराखाली, महामायातला, डा-नेरेन्द्रपुर, जि-24 परगाना (प. ब.)	रोगाणुनाशी द्रव, काला, श्रेणी-ए, ग्रेड-3 टाइप-सामान्य केवल	IS : 01061 : 82
38.	2251338	91-06-16	हरियाणा एग्रो फर्टिलाइजर्स एंड कैमीकल्स जी. टी. रोड, शाहबाद, भारकांडा (प. ब.)-131 135	ग्राइसोप्रोद्यूरान 50% द्र/द्र और 75% (द्र/द्र) डब्लू पी फार्मूलेशन	IS : 11995 : 87
39.	2251439	५ 91-06-16	अभीफैरी वैंटल प्रोसेस प्रा लि, डी-12, एम आई डी सी इंड. एरिया, मुरबाद, जि-ठाणे	एच एस डी सरिए ग्रेड एफ ई 415 साइज 8 मिमी से 25 मिमी (18 मिमी और 22 मिमी को छोड़कर)	IS : 01786 : 85
40.	2251540	91-06-16	अभी फैरो मेटल प्रोसेस प्रा लि डी-12, एम आई डी सी इंड. एरिया, मुरबाद, जि-ठाणे	संरचना इस्पात (मानक किस्म) गोल सरिए-साइज 25 मिमी तक केवल	IS : 00226 : 75
41.	2251641	91-07-01	टौरेट केबल्स लि., ग्रा-कमना, मिशन रोड, नावियाड, (गुजरात)-387001	क्रासबद्ध पौलाइथाइलीन की खोलदार कवचित और अकवचित स्क्रीन वाली और स्क्रीन रहित, 3.3 किबो से 6.35/11 किबो तक	IS : 07098 : 85 भाग : 02
42.	2251742	91-06-16	पाठक इलेक्ट्रोस्टैटिक्स प्रा लि, 56/11, डी-2 ब्लॉक, एम आई-डी सी, चिखवाड, पुणे-411 019	बिजली की इस्तरी 750 वा, 230 वा एल्यूमी- नियम की मिश्रधातु तक प्लेट सहित	IS : 00366 : 85
43.	2251843	91-06-16	महाराष्ट्र स्टील रोलिंग एंड इजी. वर्क्स, 170 एल. बी. एस. मार्ग, बंधप, बम्बई-400 078	वेलडनीय संरचना इस्पात ग्रेड एफ ई 415-डब्लू ए	IS : 02062 : 84
44.	2251944	91-06-16	मारंग राइटिंग इंडस्ट्रीज, 3545, टिम्बर मार्केट, अम्बाला छावनी-133 001	अपकेन्द्री मशीन केवल	IS : 01223 : 82 खंड : 6
45.	2252037	५ 91-06-16	हेमा पेस्टीसाइड्स, रेलवे क्रासिंग के पास, बिजरोल रोड, बडीत (जि-मेरठ)	कैप्सूल बंद बानेदार फोरेट 10% (द्र/द्र) केवल	IS : 09359 : 80
46.	2252138	91-06-16 (द्र/द्र) एस एसे	पंजाब पेस्टीसाइड्स इंड. काप. सोसाइटी लि. चण्डीगढ़ रोपड़ रोड, आनपुर, खरार, जि-रोपड़	मोनोक्रोटोफॉस 36% (द्र/द्र) एस एल	IS : 08074 : 83

1	2	3	4	5
47.	2252239	91-06-16	एमलगेटेड सिन्थेटि मोल्डर्स प्रा. लि. बी ए 16 देशबन्धु नगर, बगीहाटी, कलकत्ता-700059	विद्युत प्रयोजनों हेतु रबड़ के मैट IS : 05424 : 69
48.	2252340	91-06-16	सिद्धार्थ इंडस्ट्रीज, शेड-8-32, बोकारो इंड. एरिया बोकारो स्टील सिटी, जि. धनबाद, बिहार-2827014	ब्रपैगे के साथ प्रयुक्त घरेलू गैस चूल्हे स्टेनलेस इस्पात ढांचा दो बर्नर सहित IS 04246 : 84
49.	2252441	91-06-16	एल पी एप्लाईसेज खसरा नं. 34/1, प्रा-छपरौला, तहसील-दादरी, जि-गाजियाबाद	ब्रपैरी के साथ प्रयुक्त घरेलू गैस चूल्हे, स्टेनलेस इस्पात ढांचा, दो बर्नर सहित IS : 04246 : 84
50.	2252542	91-06-16	वि सीमेंट प्रॉडक्ट्स एन्टरप्राइजेज, प्लॉट नं. 5, छोटालालपुर, पाण्डेयपुर (आजमगढ़ रोड), वाराणसी-221 002	कंक्रीट पाइप एन पी 2, श्रेणी से 1000 मिमी तक एन पी 3 श्रेणी 1000 मिमी तक IS : 00458 : 71
51.	2252643	91-07-01	हरनाम सीमेंट एंड केमीकल (प्रा.) लि., 54 इंड. एस्टेट, यमुनानगर, (हरियाणा)-135 001	33 ग्रेड पोर्टलैंड सीमेंट IS : 00269 : 89
52.	2252744	91-07-01	प्रिंसीजन इंजी. कं., यूनिट नं. 16, आइडियल इंड. एस्टेट, मथुरा दास मिल्स कंपाउंड, तुलसी पाइप रोड, सोअर पारेल, बम्बई-400012	साफ, ताजे, ठंडे पानी के लिए निमज्ज्य पम्पसेट, पी ई बल्लू-74 IS : 08034 : 89
53.	2252845	91-07-01	रिलायबल एन्टरप्राइजेज, 23 अशोक इंड. एस्टेट, हेक्स फार्मास्यूटिकल्स लि., के पास, एल बी 5 मार्ग, मुलुन्द (प) बम्बई 400080	पिटवां एल्युमीनियम के बर्तन (भोजन पकाने, भेज पर रखने और परोसने, भण्डारण और बेकिंग हेतु बर्तन) IS : 1660 : 82
54.	2252946	91-07-01	गोदावरी स्टील रो-रोलिंग मिल्स, (प्रो-रॉक स्टील रोलिंग मिल्स प्रा लि.) एच-7/1 एडीशनल एमआईडीसी, जलगांव 425001	संरचना इस्पात (मानक किस्म) IS : 00226 : 75
55.	2253039	91-07-01	ए. के. लाइट्स (इंडिया) बी-401, सुवर्णनार्क, नई दिल्ली-110015	सामान्य सेवा टंगस्टन तंतु बल्ब, 230 वो, 15 से 100 वो, बी-22 डी टोपी सहित IS : 00418 : 78
56.	2253140	91-07-01	समरकिंग इलेक्ट्रिकल्स (प्रा) लि, ई-183 कवि नगर इंड एरिया, गाजियाबाद	प्रणोदक टाइप एसी संवाती पंखे, के एक फेजी, 320 वो, श्रेणी ई रोघन साइज 300 मिमी और 350 मिमी IS : 02312 : 67

1	2	3	4	5
57. 2253241	91-03-16	सनराइज केबल इंडस्ट्रीज, 444/2 शाहा 444/2, शाहाबाद, दौलतपुर, दिल्ली—110042	निमज्जय मोटर हेतु पीवीसी रोधित वेष्टन तार, टाइप 2, ग्रेड 1	IS : 08783 : 78
58. 2253342	91-07-01	नवमासी मैन्यु. कं., 152, नव इंडिया रोड, पीलीमेडु, कोयम्बतूर	कृषि प्रयोजनों हेतु तीन फेजी स्क्विरिल पिजरी प्रेरण मोटर, 3.7 किवा, श्रेणी ए रोधन	IS : 07538 : 75
59. 2253443	91-07-01	आनन्द बुड फ़ाफ़्ट्स, सर्वे नं. 30 नारापल्ली ग्रा, धारकेसर मंडल, आर आर ज (आ. प्र.)	टोस/ब्लॉक बोर्ड क्रोड वाले फलश धरवाजे गटर, गैर सजावटी टाइप (बीएन)	IS : 02202 : 83 भाग : 01
60. 2253544	91-07-01	अंजा मैच इंडस्ट्रीज, 2 थाराकन थोट्टा स्ट्रीट, शिवकासी-विरुडु नगर रोड, थिरुयंगल (तमिलनाडु)	डिब्बीबंद निरापद दियासलाई	IS : 02653 : 80
61. 2253645	91-07-01	एग सेलक्टेक्स इंडस्ट्रीज, 91/5 थालीकुलम, कारथनरी रोड, तिन्दनवेली (तमि) 627153	शाल्य क्रिया के रबड़ के दस्ताने	IS : 04148 : 89
62. 2253746	91-07-01	आर के प्रॉडक्ट्स 10-बी/2 ए, हीवा बागर, 11 स्ट्रीट, जयहिन्दपुरम, मदुरै 625011	बहुबन्ती टाइप गैर दाब स्टोव	IS : 02980 : 86
63. 2253847	91-07-01	पेटेक्स वाल्वेट कंपाउंड, सेफीड पुल, श्री एम, वासनजी रोड, बम्बई—400012	द्रव्य के साथ प्रयुक्त घरेलू कुकिंग रेंज ग़िलर सहित	IS : 04760 : 79
64. 2253948	91-07-01	एंकर इलेक्ट्रानिक्स एंड इलेक्ट्रि- कल्स, 42 सिद्धपुर इंड एस्टेट, एस. वी. रोड, गोरेगांव, (पश्चिम) बम्बई	आयोनेट लैम्प होल्डर, पीडेन्ट टाइप रोधित, बी 25- डी- पदनाम, 2 ए, 250 वो	IS : 01258 : 79
65. 2254041	91-07-01	वैभव इंडस्ट्रीज, 532 न्यू काटन मार्केट रोड, नागपुर 440018	वाष्पन कयूकूलर (डेजर्टकूलर) धारिता, 3000, 4000, 5000 और 6000 मी 3/घ	IS : 03315 : 74
66. 2254142	91-07-01	पोलरिस केबल्स एंड वायरस प्रा. लि., प्लॉट नं. 35, फेज 1, जेनेसिस इंड काम्प्लेक्स, कोलगांव, पालघर जि-ठाणे	1100 वो तक कार्यकारी धारिता के लिए खोलघार और खोलरहित तांबा चालक वासी पीवीसी रोधित केबल	IS : 00694 : 77
67. 2254243	91-07-01	अशोक केबल्स इंड कंडक्टर्स, 1 करौनी इंड एरिया, डा तिलरथ, जि-बेगूसराय बिहार 851122	शिरोपरि प्रेषण के लिए एल्यू- मिनियम के लड़दार चालक	IS : 00398 : 76 भाग : 01

1	2	3	4	5
68. 2254344	91-07-01	अगोऊ केबल एंड कंडक्टर्स 1 बरौनी इंड एरिया, डा तिलरथ, जि-बेगूसराय, बिहार 851122	शिरोपरि प्रेषण के लिए जस्तीकृत इस्पात प्रबलित एल्युमीनियम चालक	IS : 00398 : 76 भाग : 02
69. 2254445	91-07-01	भारत सीमेंट पाइप्स, कुलाई, मंगलौर 574196	कंक्रीट पाइप, एनपी 2 श्रेणी 600, 900 से 1200, साइज और एन पी 3 श्रेणी 500 से 900 और 1200 मिमी साइज	IS : 00458 : 71
70. 2254546	91-07-01	मधुसूदन इंडस्ट्रीज नं. 2, एलाथा मुदानी स्ट्रीट, टोडियापेट, मद्रास—600081	एंडोसल्फान 35% (द्र/द्र) ईसी फार्मूलेशन केवल	IS : 04323 : 80
71. 2254647	91-07-01	खन्ना कायर प्रॉडक्ट्स प्रा लि., 54/13 साइट 4, साहिबाबाद, जि-गाजियाबाद	कुशनिंग के लिए रबड़ चढ़ी नारियल जटा शीट मध्यम ग्रेड केवल	IS : 08391 : 87
72. 2254748	91-07-01	विक्रम सुपर सीमेंट, दामोदरपुरा, विक्रम नगर, डा. खार, जि-मधसौर (म. प्र.) 458470	33 ग्रेड साधारण पोर्टलैंड सीमेंट	IS : 09269 : 89
73. 2254849	91-07-01	हैदराबाद एलिवन लि., नंवालूर, जि-कुड्डापाह (आ. प्र.) 516150	घरेलू रेफ्रिजरेटर्स (यांत्रिक रूप से चालित) 165 लिटर धारिता	IS : 01476 : 79
74. 2254950	91-07-01	सेठ इलेक्ट्रोड्स प्रा. लि., 1/3 सिमरिया घाट, खुराई, जि-सागर (म. प्र.)	संरचना इस्पात धातुआर्क वेल्डिंग हेतु आवरित इलेक्ट्रोड पद- नाम ई 317412 और साइज 3.15, 4.00 और 5 मिमी	IS : 00814 : 74 भाग : 01
75. 2255043	91-07-01	सुपर स्टार वेल्डिंग इंड लि., जीआईडीसी एस्टेट, वाडी जि-मेहसाणा	वेल्डिंग इलेक्ट्रोड, साइज 3.15 मिमी 4.0 मिमी और मिमी कोड पदनाम ई 303411	IS : 00814 : 74 भाग : 01
76. 2255144	91-07-01	इकबाल ब्रवर्स (प्रा) लि., 11 ए ईस्ट टोपसिया रोड, कलकत्ता—700046	चमड़े के सुरक्षा फूटवीयर प्रत्यक्ष संवर्ग तला सहित	IS : 11226 : 85
77. 2255245	91-07-01	सन मुपीरियर इलेक्ट्रानिक कैपि- स्टर प्रा लि., 7/33 काशालाइकरा, लेन नं. 2, अविनाशी कोयम्बतूर- 641018	मोटर संचारित्र, 10 एमएफडी 400बी, सेल्फ हीलिंग टाइप संवर्ग 40/85/21	IS : 02993 : 75
78. 2255346	91-07-01	सममुख केबल एंड कंडक्टर्स प्रा लि., प्लॉट नं. 129, शिनोली बी. के. ताल, छदगाड जि-कोल्हापुर	शिरोपरि प्रेषण के लिए जस्ती- कृत इस्पात प्रबलित एल्युमी- नियम चालक	IS : 00398 : 76 भाग : 02

1	2	3	4	5
79. 2255447	91-07-01	राजस्थान इनर्जी इक्विपमेन्ट्स प्रा लि., आर-17-20 जोतवाड़ा इंड एरिया, जयपुर-302012	एसी बिजली के मीटर एक फेजी सम्पूर्ण धारा वाट धं मीटर, श्रेणी 2, 2-5-10, 5-20, 10-20 और 20-4 एम्प रेटिंग	IS : 00722 : 77 भाग : 02
80. 2255548	91-07-01	सीमेन्स लि., ठाणे बेलपुर रोड, पो. बाक्स नं. 85, ठाणे-400 601	अतिलघु वायु वियोज्य परिपथ वियोजक 16 ए से 63ए, एल ध्रुवी, एम 3, 240 वो	IS : 008828-78
81. 2255649	91-07-06	मल्होत्रा इंडस्ट्री कास्ट लि., 4-5-6 जी आई डी सी एस्टेट, काडी, जिला मेहसाणा	संरचना इस्पात में वेल्डन हेतु ठले बिलेट इंगट इंगट (मानक किस्म)	IS : 06914-78
82. 2255750	91-07-01	श्रीराम केबल एंड केमिकल इंडस्ट्रीज, खसरानं. 28/13, ग्राम लिवासपुर, डा. बादली, दिल्ली-110 042	1100 वो तक कार्यकारी वोल्टता के लिए पी बी सी रोधित केबल, खोलदार और खोलरहित एल्युमीनियम और तांबा चालक वाली	IS : 00694-77
83. 2255851	91-07-01	पइओनियर सीमेंट (प्रा.) लि., अर्नोपाल्ली मुख्यालय अपोइपाल्ली काडागल मंड, महबूब नगर (आ.प्र.)	33 ग्रेड साधारण पोर्टलैण्ड सीमेंट	IS : 00269-89
84. 2255952	91-07-01	रोडमास्टर इंडस्ट्रीज आफ इंडिया लि., ए-2, इंड. एरिया, मेरठ रोड, गाजियाबाद-201 003	बाइसिकिल के रिम	IS : 00624-75
85. 2256045	91-07-01	पंकज प्रीफैब, अरुन श्री कंपाउन्ड, महावीर नगर बागीभपाल गांव, जीओ राई जिला बीड-431127	पूर्व ठले कंक्रीट पाइप एन पी 2 श्रेणी साइज 300, 350, 600 और 800 मिमी, सादा सिरे	IS : 00458-88
86. 2256146	91-07-01	एलाइड इलेक्ट्रिकल्स, शीतलन पंप, साइग : टाइप बी-05, एच एम टी इंड एस्टेट, जालाहाली, बंगलौर-560 031	मशीन और औजारों के लिए 1/170, 3 फेज, मोटर रेटिंग 0.1 किवा श्रेणी ई रोधन	IS : 02161-62
87. 2256247	91-07-01	लक्ष्मी केबल कं. ए/6 मिलमिल ताहिरपुर, इंडस्ट्रियल एरिया, जी टी रोड, दिल्ली-110 032	1100 वो तक कार्यकारी वोल्टता के लिए सामान्य प्रयोजी इले-स्वेमर रोधित और वस्त्रादि गुंफित नम्य डोरो, अनीलीकृत टिन्ड तांबा चालक वाली	IS : 09968-81 भाग 1
88. 2756348	91-07-01	यूनिवर्सल बायर्स एंड इंडस्ट्रीज, डी 1, डी 2, इंड एरिया, पटना-800013	शिरोपरि प्रेषण के लिए ग्रति उच्च वोल्टता हेतु जस्ती-कृत इस्पात प्रबलित एल्यु-मीनियम चालक	IS : 00398 : 82 भाग 5

1	2	3	4	5	6
89.	2256449	91-07-01	शिवम टिन इंडस्ट्रीज, खसरा नं. 16912, जी. टी. रोड, पंजाब नेशनल पार्क के पास, छपरौला जि- गाजियाबाद	वनस्पति और खाद्य तेलों के पैकिंग के लिए 15 किग्रा के चीकोर कनस्तर	IS : 10325 : 89
90.	2256550	91-07-01	साहिबा सीमेंट प्राइवेट्स, बी-27 एमआईडीसी, धुगुस रोड, चन्द्रपुर	पूर्व ढले कंक्रीट पाइप, एनपी 2 श्रेणी, साइज 300, 400, 450, 900, 1000 और 1200 मिमी, सादा सिरे	IS 00458 : 88
91.	2256651	91-07-01	पोलरिस केबल्स एंड वायर्स प्रा लि, प्लॉट नं. 35, जेनेसिस इंडस्ट्रियल कॉम्प्लेक्स कालगांव, पालघर जि-ठाणे	1100 वो तक कार्यकारी वोल्टता के लिए कवचित और अक- वचित तांबा चालक वाली पीवीसी रोधित केबल	IS 01554 : 88 भाग 1
92.	2256752	91-07-01	पोलरिस केबल्स एंड वायर्स प्रा लि., प्लॉट नं. 35, जेनेसिस इंड- स्ट्रियल कॉम्प्लेक्स, कालगांव, पालघर, जि-ठाणे	मोटर वाहन के लिए पीवीसी रोधित सामान्य तारबंदी केबल, अल्पताप अवस्था में प्रयुक्त केबल को छोड़ कर	IS 02465 : 84
93.	2256853	91-07-01	सत्य इंजी. कं. 38 जी के डी नगर, पी एन पालायम, कोयम्बतूर पिन 641037	एक फेजी छोटी एसी बिजली की मोटर, 240 वो, 50 हर्ट्ज संचारित्र स्टार्ट रन	IS 00996 : 79
94.	2256954	91-07-01	लेन्स इंजी., 17/18 कडाला उद्योग, 8 नयगांव फ़ास रोड, वाडाला, बम्बई-400 031	भाप निर्जर्मक क्षेत्रीय आयताकार दाबटाइप	IS : 03829-78 भाग 1
95.	2257047	91-07-01	विक्रम सीमेंट्स लि., बीर प्लासी नालागढ़, जिला सोलन, हिमाचल प्रदेश	3 3 ग्रेंड साधारण पोर्टलैंड सीमेंट	IS : 00269-89
96.	2257148	91-07-01	पुडुकोट्टाई जिला कोपरेटिव स्पिनिंग मिल्स लि., पो. बा. नं. 3, अरंधानगरी (तमिलनाडु) पिन 614 616	कच्चा सूती धागा	IS : 00171-85
97.	2257249	91-07-01	हिलजर्स लि., 55, कनाल ईस्ट रोड, वेलीघाटट्टा, कन्नकता-700 085	पहिया बेयरिंग ग्रीज	IS : 10647-83

MINISTRY OF FOOD AND CIVIL SUPPLIES

(Department of Civil Supplies)

BUREAU OF INDIAN STANDARDS

New Delhi, 13th November, 1991

S.O. 3008:—In pursuance of sub-regulation (5) of the Bureau of Indian Standards (certification) Regulations, 1988, the Bureau of Indian Standards, hereby notifies the grant of licences particulars of which are given in the following schedule.

SCHEDULE

Licences Granted During the Month

Sl. No.	CM/L-No.	Operative	Name & Address of the Party	Article/Process covered by the licence	IS : No./Part
1	2	3	4	5	6
1.	2247650	91-06-16	Jotwani Electric Co. B-60, Sector, 10 Noida 201301	Thermostatic Electric Iron with cast iron sole plate 750w, 230V	IS : 00366 : 85
2.	2247751	91-06-16	Bharat Steel Industries A-1 to A-3, Indl. Estate Moula-Ali Hyderabad 500040	Weldable structural steel grade grade Fe 410 WA	IS : 02062 : 84
3.	2247852	91-06-01	Rajasthan Vanaspati Products Ltd. P.O. Box No. 1 Hamirgarh Road Bhilwara 321001	Vanaspati	IS : 106333 : 86
4.	2247953	91-06-16	Sensotherm 143-A, Govt. Indl. Estate Khandivit (W) Bombay 400067	PVC insulated cables for working voltages upto & including 1100 v, sheathed and unsheathed with copper conductors	IS : 00694 : 77
5.	2248045	91-06-16	Priya Electronics J-346, MIDC Bhosari Pune 411026	Shunt Capacitors upto & Including 5 KVAR, 415/440 V, temperature category 50° C MPP, self healing type	IS : 02834 : 86
6.	2248147	91-06-16	Hindustan Rubbers Plot No. 81-84, Achhad Indl. Estate Achhad, Tal, Tolosar No. 8 Distt. Thane 401606	General purpose rubber conveyor and elevator	IS : 01891 : 88 Part :01
7.	2248248	91-06-16	Fibrolite Enterprises 1-8-449 opp. Police Line Secunderabad (AP) 500003	Glass fibre reinforced polyester resin (GRP) squatting pans contact moulded type	IS : 11246 : 85
8.	2248349	91-06-16	Raasi Cements Ltd., Vishnupuram PO Wadapalli Miryalaguda Taluq Distt. Nalgonda (AP) 508355	Portland Pozzolana Cement	IS : 01489 : 76
9.	2248450	91-06-16	Vinod Enterprises 469/I, Bagh Distt. Dhar (MP)	33 Grade ordinary & Portland cement	IS : 00269 : 89
10.	2248551	91-06-16	Hindustan Vegetables Oils Corp Corpn. Ltd., 4, Kalpi Road Kanpur 208012	Flexible packs for the packing of vanaspati, 1kg capacity only	IS : 11352 : 86
11.	2248652	91-06-16	Mangalam Paints XXXII/363 Masjid Road Palativattom Cochin 682025	Cement paint, colour as required	IS : 05410 : 69
12.	2248753	91-06-16	Durgah Hume Pipe 351/352 Village paprawat PO Najafgarh New Delhi 110043	Precast concrete pipes of class NP2, size 250 mm	IS : 00458 : 88
13.	2248854	91-06-16	Standard Chemicals 11/10, Indl. Estate Kalunga Distt. Sundargarh (Orissa) 770031	Ink, duplicating for single drum Rotary Machine	IS : 01333 : 78

1	2	3	4	5	6
14.	2248955	91-06-16	Chinnandas Ashok Kumar Engineering works A-5, Co-op Indl. Estate Ajantha Road Jalgaon	Submersible Pumpsets for clear, cold water of model K-1758	IS : 08034 : 89
15.	2249043	91-06-16	Prem Khalsa Iron & Steel Rolling Mills Guru-ki-Nagri mandi Gobindgarh (PB)	HSD Steel Bars, grade F 415 size 8 to 16 mm (except 10 mm)	IS : 01786 : 85
16.	2249149	91-06-16	Bangiya Bastushilpa Pratisthan 45/1, Madhusudan Banerjee Road, Calcutta-700083	Asbestos cement building pipes of diameter upto and including 80 MM (No. M size) single Socket 2 M length	IS : 01626 : 80 Part : 01
17.	2249250	91-06-16	Amar Engineering Works 4/C, Salkia School Road Salkia Howrah 711106	General purpose shovels	IS : 00274 : 81 Part : 01
18.	2249351	91-06-16	Techmo Industries 42, South street No. 2 Ganapathy PO Avarampalayam Coimbatore 641006	Jet centrifugal pump combination of type TVJ 801	IS : 12225 : 87
19.	2249452	91-06-16	ENBEST 48, Thadgam Road velandi-palayam Coimbatore 641025	Jet Centrifugal Pump combination for types BHI and BH2	IS : 12225 : 87
20.	2249553	91-06-16	Bharat Pulverising Mills Ltd., 1074, Thiruvottiyur High Road, Madras 600019	Phosphamidon 85% SC	IS : 06177 : 81
21.	2249654	91-06-16	Paras Appliances B-10, Sector VIII Noida Distt. Ghaziabad	Stationary storage type electric water heaters, vent type, ordinary, 25 to 50 litres capacity	IS : 02082 : 85
22.	2249755	91-06-16	Surya Roshni Ltd., (Light Division) 7KM stone Kashipur-Moradabad Road Kashipur 244713	High pressure sodium vapour Lamps 250W, son type	IS : 09974 : 89 Part : 01
23.	2249856	901-06-16	Auckland Holdings Ltd. (Unit-Ambica Mills) 3, Haren Mukherjee Road Belurmath Distt. Howrah (WB) 711202	B-Twill jute bags for packing food grains	IS : 02566 : 84
24.	2249957	91-06-16	Delta Jute & Industries Ltd., Village Manikpore PO Delta Mill Distt. Howrah (WB)	Jute Sacking bags for packing cement	IS : 02580 : 82
25.	2250033	91-06-16	National Engineering Industries Ltd. (Rubber division) 2, Beerpara Lane Dum Dum Calcutta 700030	Flexible rubber tubing for liquified petroleum gas, nominal bore size 6.4 mm only	IS : 10908 : 84
26.	2250134	91-06-16	Auckland Holdings Ltd., (Unit-Ambica Mills) 3, Haren Mukherjee Road, Belurmath Distt. Howrah (WB) 711202	A-twill Jute Bags	IS : 01943 : 64
27.	2250235	91-06-16	India Metal Industries Parekh Nagar S.V. Road, Kanivli (W) Bombay 400067	Stainless Steel pressure cooker 7.5 litres capacity	IS : 02347 : 87
28.	2250336	91-06-16	Bajaj Knitters 69, Lakshmi Nagar, 50 feet Road, Tirupur 638602	Plan knitted cotton vests, type RN & RNS. size 75 to 110 cm Gauge 24 only	IS : 04964 : 80
29.	2250437	91-06-16	HI Tech Home Appliances No. 4, Power Mills Road, Madras 600012	Domestic Gas stoves for use with LPG, stainless body, double brass burners	IS : 04246 : 84

1	2	3	4	5	6
30.	2250538	91-06-16	Premier Metal works 458/2, K.N.G. Purur Road, Subramaniampalayam G.N. Mills Post Coimbatore 641029	Non-pressurestoves, capillary Fe-I Multiwick type	IS : 02980 : 86
31.	2250639	91-06-16	Miki Wire Works Mahilong, Ranchi 834001	Indented wire for prestressed Concrete	IS : 06003 : 83
32.	2250740	91-06-16	Motilal Pesticides (India) Pvt. Ltd Masani Mathura (UP) 281003	BHC 6.5% (m/m) WDPC Formulation	IS : 00562 : 78
33.	2250841	91-06-16	B.D. Khaitan & Co. Biren Roy Road (West) Mynagarh, Maheshtala Distt. 24 Parganas (WB)	Phorate Granules Encapsulated 10% (m/m) only	IS : 09359 : 80
34.	2250942	91-06-16	Miki Wire Works Mahilong Ranchi 835103	Uncoated stress relieved strand for stressed concrete upto 3 ply, 3 mm size	IS : 06006 : 83
35.	2251035	91-06-16	Bentex Electricals B-65, Bentex House, Gati No. 1, Naraina Indl. Area, Phase II, New Delhi 110028	AC electricity meters, single- phase, whole current watt hour meters, class 2, 240v, 2.5-5A and 5-10A	IS : 00722 : 76 Part: 02
36.	2251136	91-06-16	Vibhava Chemicals 4/1, Neeligin Road, Hubli 580029	Disinfectant Fluid, Black, Class-A, Grade 3 & type normal only	IS : 01061 : 82
37.	2251237	91-06-16	Macrobiotic Laboratories (Unit II) Kumbrakhali Mahamayatala, PO Narendrapur Distt. 24 Parganas (WB)	Disinfectant Fluid, Black, Class-A, Grade 3, type normal only	IS : 01061 : 82
38.	2251338	91-06-16	Haryana Agro Fertilizers & Chemicals, G.T. Road Shahbad Markanda (PB) 132135	Isoproturon 50% (m/m) and 75% (m/m) WP formulation	IS : 11993 : 87
39.	2251439	91-06-16	Ambhe Ferro Metal Processors Pvt. Ltd., D-12, MIDC, Indl. Area, Murbad, Distt. Thane	HSD steel bars of grade Fe 415 sizes 8 mm to 25 mm (except 18 and 22 mm)	IS : 01786 : 85
40.	2251440	91-06-16	Ambhe ferro Metal Processors Pvt. Ltd. D-12, MIDC Indl. Area, Murbad, Distt. Thane	Structural steel (standard quality) round bars-size upto and including 25mm only	IS : 00226 : 75
	2251641	91-07-01	Torrent Cables Ltd., Village Kamla Mission road, Nadiad (Gujarat) 387001	Cross linked polyethylene insulated PVC sheathed cables, armoured & unarmoured screened & unscreened, 3.3 KV upto & including 6.35/11 KV	IS : 07098 : 85 Part : 02
42.	2251742	91-06-16	Pathak Electrostatics Pvt. Ltd., 56/11, D/2 Block, MIDC Chinchwad, Pune 411019	Electric Irons, 750 W, 230 v with aluminium alloy sole plate	IS : 00366 : 85
43.	2251843	91-06-16	Maharashtra Steel Rolling & Engg. Works, 170, L.B.S. Marg, Bhandup, Bombay 400078	Weldable Structural Steel Grade Fe 410-WA	IS : 020262 : 84
44.	2251944	91-06-16	Narang Scientific Industries, 3545, Timber Market, Ambala Cantt. 133001	Centrifuge only	IS : 01223 : 82 Section 6

1	2	3	4	5	6
45.	2252037	91-06-16	Hooma Pesticides Near railway crossing, Bijrol road, Baraut (Distt. Meerut)	Phorate Granules Encapsulated 10% (M/M) only	IS : 09359 : 80
46.	2252138	91-06-16	Punjab Pesticides Indl Co-op. Society Ltd., Chandigarh-Ropar Road Khanpur, Kharar Distt. Ropar (PB)	Monocrotophos 36% (m/m) SL	IS : 08074 : 81
47.	225239	91-06-16	Amalgamate Synthetic moulders Pvt. Ltd., BA/16, Deshbandhunagar, Baguihati, Clauetta 700059	Rubber mats for Electrical purpose	IS : 05424 : 69
48.	2252340	91-06-16	Siddhartha Industries Shed. No. B-22, Bokaro Indl. Area, Bokaro Steel City, Distt. Dhanbad (Bihar) 827014	Domestic Gas Stoves for use LPG, Stainless steel body, double burners	IS : 04246 : 84
49.	2252441	91-06-16	L.P. Appliances Khasra No. 34/1, Village Chhappraula, Tehsil Dadri, Distt. Ghaziabad	Domestic gas stoves for use with LPG stainless steel body, double burners	IS : 04246 : 84
50.	2252542	91-06-16	The Cement products Enterprises Plot No. 5, Chhota Lalpur, Pandeypur (Azamgarh Road), Varanasi 221002	Concrete pipes of NP2 class up to and including 1000 mm and NP3 class upto and including 1000 m,m	IS : 00458 : 71
51.	2252643	91-07-01	Harnam Cement & Chemicals (P) Ltd. 54, Indl. Estate, (Yamunanagar, Haryana) 135001	33 grade ordinary portland cement	IS : 00269 : 89
52.	2252744	91-07-01	Precision Engg. co. Unit No. 16, Ideal Indl. Estate, Mathuradas Mills compound, Tulsipipe Road, Lower Parel, Bombay 400012	Submersible pumpsets for clear, cold water, model PEW 74	IS : 08034 : 89
53.	2252845	91-07-01	Reliabel Enterprises, 23, Ashok Indl. estate, Nr. Hoechst Pharmaceuticals Ltd., LB 5 Marg, Mulund (W), Bombay 400080	Wrought aluminium utensils, (cooking, table, serving, storing & baking utensils)	IS : 01660 : 82 Part 01
54.	2252946	91-06-01	Godavari Steel Re-rolling Mills, (Prop. Sac Steel rolling Mills Pvt. Ltd.) H-7/1, Additional MIDC Jalgaon 425001	Structural steel, (standard quality)	IS : 00226 : 75
55.	2253039	91-07-01	Aay Kay Lights (India) B-401, Sudershan Park, New Delhi 110015	Tungsten filament general service electric Lamps 230v, 15 to 100w with B 22 d Caps	IS : 00418 : 78
56.	2253140	91-07-01	Summerking Electricals (P) Ltd., E-183, Kavi Nagar, Indl. area, Ghaziabad.	Propeller type A3 ventilating fans, single-phase, 230 v, class 'c' insulation of sizes 300 mm, 380 mm and 450 mm	IS : 02312 : 67
57.	2253241	91-06-16	Sunrise Cable Industries, 444/2, Shahbad Daultapur, Delhi-110042	PVC insulated winding wires for submersible motors, type 2, grade 1	IS : 08783 : 78
58.	2253342	91-07-01	Navamani Mfg. Co., 152, Nava India Road, Peelamedu, Coimbatore 641004	Three phase squirrel cage induction motors for agricultural appli- cations, 3.7 Kw, Class 'A' insu- lation	IS : 07538 : 75

1	2	3	4	5	6
59.	2253443	91-07-01	Anand Wood Crafts Survey No. 30 Narapally village Ghatkesar Mandal R.R. Disst. (AP)	Solid/Block Board core wooden flush door shutters, non-decora- tive type (BN)	IS : 02202 : 83 Part : 01
60.	2253544	91-07-01	Anja Match Industries 2, Tharakan Thotta Street Sivakasi-Virudhunagar Road Thiruthangal (TN)	Saftety Matches in Boxes	IS : 02653 : 80
61.	2253645	91-07-01	Egsallex Industries 91/5, Thalaikulam Karanthaneri Road Thirunelveli (TN) 627153	Surgical Rubber Gloves.	IS : 04148 : 89
62.	2253746	91-07-01	R.K. Products 10-B/2A Heeva Bagar II street Jaihindpuram Madurai 625011	Multiwick type Non-Pressure Stoves	IS : 02980 : 86
63.	2253847	91-07-01	Pentax Engg. Pvt. Ltd., Bharat velvet compound safed pool Shri M Vasanji Road Bombay 400072	Domestic coooking ranges including griller for use with LPG	IS : 04760 : 79
64.	2253948	91-07-01	Anchor Electronics & Electricals 42, Sihpur Indl. Estate S.V. road Goregaon (W) Bombay	Bayonet Lamps holders, pendent type, Insulated B-22d designation, 2A, 250V	IS : 01258 : 79
65.	2254041	91-07-01	Vaibhav Industries 532, New Cotton Market road, Nagpur 440018	Evaporative Air Coolers (Desert Coolers) of capacities 3000, 4000, 5000 and 6000 M3/H	IS : 03315 : 74
66.	2254142	91-07-01	Polaris Cables & wires Pvt. Ltd. Plot No. 35, phase I Genesis indl. complex Kolgaon, Palghar Distt. Thane	PVC insulated calbes for working voltages upto & including 1100v, sheathed and unsheathed with copper conductor	IS : 00694 : 77
67.	2254243	91-07-01	Ashoka Cables & Conductors 1, Barauni Indl. area P.O. Tilrath Distt. Begusarai (Bihar) 851122	Aluminium stranded conductors foroverhead transmission purposes	IS : 00398 : 76 Part : 01
68.	2254344	91-07-01	Ashoka Cables & Conductors 1 Barauni Indl. area PO Tilrath Distt. Begusarai (Bihar) 851122	Aluminium conductors, galvanized steel reinforced for transmission purposes	IS : 00398 : 76 Part : 02
69.	2254445	91-07-01	Bharat Cement Pipes Kulai Mangalore 574196	Concrete pipes, NP2 class, 600, 900 to 1200 mm size and NP3 class 300 to 900 and 1200 mm size	IS : 00458 : 71
70.	2254546	91-07-01	Madhusudan Industires No. 2, Ellaya Mudali street Tondiarpet Madras 600081	Endosulfan 35% (m/m) EC formulation only	IS : 04323 : 80
71.	2254647	91-07-01	Khanna Coir Products Pvt. Ltd., 54/13, Site IV Sahibabad Distt. Ghaziabad	Rubberized coir sheets for cushioning, medium grade only	IS : 00391 : 87
72.	2254748	91-07-01	Vikram Super Cement Damodarpura Vikrama Nagar PO Khar Distt. Mandsaur (MP) 458470	Ordinary portland cement 33 grade	IS : 00269 : 89
73.	2254849	91-07-01	Hydrabaa Allwyn Ltd. Nandalur Distt. Cuddapah (AP) 516150	Domestic refrigerators (Mechanically operated) 165 Lit capacity	IS : 01476 : 79

1	2	3	4	5	6
74. 2254950	91-07-01	Soth Electrodes Pvt. Ltd. 1/3, Simaria Ghat Khurai Distt. Sagar (MP)	Covered electrodes for metal arc welding of structural steel code designation E317412 and sizes 3.15, 4.00 and 5 mm	IS : 00814 : 74 Part : 01	
75. 2255043	91-07-01	Superstar Welding Inds. Ltd., Opp. GIDC estate Kadi Distt. Mehsana	Welding electrodes, sizes 3.15 mm, 4.0 mm & 5.0 mm code designation E 303411	IS : 00814 : 74 Part : 01	
76. 2255144	91-07-01	Iqbal Brothers (P) Ltd. 11A, East Topsia road Calcutta 700046	Leather Safety footwear having direct moulded sole	IS : 11226 : 85	
77. 2255245	91-07-01	Sun Superior Electronic Capacitor Pvt. Ltd., 7/33, Kadalaikara Lane No. 2, Avanashi road, Coimbatore 641018	Motor capacitors 10 Mfd 400 v, self healing type, category 40/85/21	IS : 02993 : 75	
78. 2255346	91-07-01	Samsukha Cables & Conductors Pvt. Ltd. Plot No. 129 Shindli B.K. Tal Chandgad Distt. Kolhapur	Aluminium conductors, Galvanized steel reinforced for overhead transmission purposes	IS : 00398 : 76 Part : 02	
79. 2255447	91-07-01	Rajasthan Energy equipments Pvt. Ltd., R-17-20, Jhotwar Indl. area Jaipur 302012	AC electricity meters, single phase whole current watt hour meters, class 2, 2.5-10, 5-20, 10-20 and 20-40 a ratings	IS : 00722 : 77 Part : 02	
80. 2255548	91-07-01	Seimens Ltd. Thane-Belapur Road, P.O. Box 85 Thane-400601	Miniature Air-Break Circuit Breakers, 16 A to 63 A, Single-Pole, M3, 240 V.	IS : 08828 : 78	
81. 2255649	91-07-01	Malhotra Inducto Cast Ltd., 4-5-6, GIDC Estate Kadi Distt. Mehsana	Cast Billet Ingots for Rolling into Structural Steel (Standard Quality).	IS : 06914 : 78	
82. 2255750	91-07-01	Shri Ram Cable & Chemical Industries, Khasra No. 28/13, Village Libaspur, P.O. Badli, Delhi-110042.	PVC Insulated Cables for Working Voltages upto & Including 1100 V. Sheathed/ Unsheathed with Aluminium and Copper Conductors.	IS : 00694 : 77	
83. 2255851	91-07-01	Pioneer Cement (P) Ltd., Ernapally H/O Appoipally Kodangal Mandal Mahaboobnagar Distt. (A.P.).	Ordinary Portland Cement 33 Grade	IS : 00269 : 89	
84. 2255952	91-07-01	The Roadmaster Industries of India Ltd., A-2, Indl. Area, Meerut Road Ghaziabad 201003	Bicycle RIMS	IS : 00624 : 75	
85. 2256045	91-07-01	Pankaj Prefab Arunshree Compound Mahavir Nagar Bagpimpalgaon, Georai Distt. Beed-431127	Precast Concrete Pipes NP 2 Class, Sizes 300, 450, 600 and 800 MM, Plain Ended	IS : 00458 : 88	
86. 2256146	91-07-01	Allied Electricals. B-05, HMT, Indl. Estate, Jalahalli Bangalore-560031	Cooland Pumps for Machine Tools of Size 1, Type 1/170, 3 Phase Motor Rating 0.1 KW Class 'E', Insulation	IS : 02161 : 62	

1	2	3	4	5	6
87. 2256247	91-07-01	Lakshmi Cable Co., A/6, Jhilmil Tahirpur Industrial Area, G.T. Road, Delhi-110032	General Purpose Elastomer Insulated & Textile Braided Flexible Cord for Working Voltages Part : 01 upto & Including 1100V with Annealed Tinned Copper Conductor.	IS : 09968 : 81	
88. 2256348	91-07-01	Universal Wires & Industries D1, D2, Indl. Area, Patna-800013	Aluminium Conductors, Galvanized Steel-Reinforced for Extra High Voltage Overhead Power Lines, 400 KV and Above).	IS : 00398 : 82 Part : 05	
89. 2256449	91-07-01	Shivam Tin Industry Khasra No. 169/2 G.T. Road Near Punjab National Bank, Chhapraula, Distt. Ghaziabad.	15 KG Square Tins for Packing Vanaspati & Edible Oils	IS : 10325 : 89 K.h	
90. 2256550	91-07-01	Saibaba Cement Products. 8-27, MIDC, Ghugus Road, Chandrapur.	Precast Concrete Pipes, NP2 Class, Sizes 300, 400, 450 900 1000 and 1200 MM, Plain Ended	IS : 00458 : 88	
91. 2256651	91-07-01	Polaris Cables & Wires Pvt. Ltd., Plot No. 35, Genesis Industrial Complex Kolgaon, Palghar Distt. Thane	PVC Insulated (Heavy Duty) Electric Cables for Working Voltages upto & Including 1100V Armoured and Unarmoured, Copper Conductor	IS : 01554 : 88 Part : 01	
92. 2256752	91-07-01	Polaris Cables & Wires Pvt. Ltd. Plot No. 35 Genesis Industrial Complex Kolgaon, Palghar, Distt. Thane	PVC Insulated General Wiring Cables for Motor Vehicles, Excluding Cables for Low Temperature Applications.	IS : 02465 : 84	
93. 2256853	91-07-01	Sathya Engg. Co., 38, GKD Nagar, P.N. Palayam Coimbatore-641037	Single-Phase Small AC Electric Motors, 240 V, 50 HZ, Capacitor Start	IS : 00996 : 79	
94. 2256954	91-07-01	Lance Engg. 17/18, Wadala Udyog Bhavan 8, Naigaum Corss Road, Wadala, Bombay-400031	Steam Sterilizer-Horizontal Rectangular, Pressure Type	IS : 03829 : 78 Part : 01	
95. 2257047	91-07-01	Vikram Cements Ltd. Bir Plassi Nalagarh Distt. Solan (H.P.)	Ordinary Portland Cement 33 Grade	IS : 00269 : 89	
96. 2257148	91-07-01	The Pudukottai Distt. Co-Op. Spinning Mills Ltd., Post Bag No. 3 Aranthangi (TN) 614616	Cotton Grey Yarn	IS : 03171 : 85	
97. 2257249	91-07-01	Heilgers Ltd., 55, Canal East Road, Bellaghata, Calcutta-700085	Wheel Bearing Grease	IS : 10647 : 83	

नई दिल्ली, 14 नवम्बर, 1991

का.आ. 3009.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम, 1985 के विनियम 4 के उपविनियम (5) के अनुसरण में भारतीय मानक ब्यूरो एतद्वारा अधिसूचित करता है कि जिन लाइसेंसों के विवरण नीचे अनुसूची में दिए गए हैं, वे स्वीकृत कर दिए गए हैं :

अनुसूची

क्रम सं०	लाइसेंस संख्या	वैधता की अवधि	लाइसेंसधारी का नाम और पता	लाइसेंस के अधीन वस्तु प्रक्रिया	सम्बद्ध भारतीय मानक की संख्या
(1)	(2)	(3)	(4)	(5)	(6)
जुलाई 1991 के दौरान स्वीकृत लाइसेंस					
1.	2257350	91-07-16	संदीप कंक्रीट प्राइवेट्स, अरुणथ्री कंपाउन्ड, महावीर नगर, बागपिसपाल गांव जीओराई, जि-बोर्ड-431 127	पूर्वप्रतिबलित कंक्रीट पाइप, एन पी 2, माइज 300, 450, 600 और 800 मिमी	IS : 458-88
2.	2257451	91-07-16	आगाडे इंडिया इंजी. लि., प्लॉट सी-423, टी टी सी इंड एरिया, एम आई डी सी, तुर्भी न्यू बम्बई-400613	शिरोपरि प्रेषण हेतु जस्तीकृत इस्पात प्रबलित एल्यूमीनियम चालक	IS : 398-76 भाग : 02
3.	2257552	91-07-16	पटेल वायर इंडस्ट्रीज, गेट नं. 435, प्लॉट नं. 7 और 8, ग्रा-तालेगांव, इगातपुरी, जिला नासिक-422403	शिरोपरि प्रेषण हेतु जस्तीकृत इस्पात प्रबलित एल्यूमीनियम चालक	IS : 0398-76 भाग : 02
4.	2257653	91-07-16	पटेल वायर इंडस्ट्रीज, गेट नं. 435, प्लॉट नं. 7 और 8 ग्रा-तालेगांव, इगातपुरी जिला नासिक-422403	शिरोपरि प्रेषण के लिए एल्यूमीनियम लड़दार चालक	IS : 00398-76 भाग-01
5.	2257754	91-07-16	ई पी सी इलेक्ट्रिकल प्रा. लि., 71ए, टोलीगंज रोड, कलकत्ता-700033	तीन फेजी प्रेरण मोटर 0.75 किवा से. 3.7 किवा तक श्रेणी "बी" रोघन सहित	IS : 00325-78
6.	2257855	91-07-16	विनोद ट्रेडर्स, दक्षिण पाड़ा, मानकुंड, जिला हुगली, (प. ब.)	चाय की पेटियों की धातु फिटिंग	IS : 00010-89 भाग : 04
7.	2257956	91-07-16	जी. के. वायर्स एंड केबल्स, ए-70, डी डी ए रोड, फेज 2, न्यू ओखला इंडस्ट्रियल एरिया, नई दिल्ली-110020.	निमज्जय पम्प के लिए पी बी सी रोधित बेस्टन तार टाइट 2, ग्रेड 2	IS : 08783-78
8.	2258049	91-07-16	जेनेक्स (इंडिया), 2791 किनारी बाजार, दिल्ली-110006.	अन्नक रोधित तापन एलीमेंट	IS : 06446-86
9.	2258150	91-07-16	कुकरेजा ट्रांसफार्मर मैनु. कं ए-9 बजीरपुर इंड. एरिया, दिल्ली-110052	सामान्य प्रयोजी बेल्टिंग केबल पॉलीएस्टर टेप मेपरेंडर और एल्यूमीनियम चालक सहित	IS : 09857-81
10.	2258251	91-07-16	द्विषकल इंडस्ट्रीज, 41 प्रकाश इंडस्ट्रियल एस्टेट, जी.टी. रोड, डा.-साहिबाबाद गाजियाबाद	फ्लोरेसेन्ट बल्ब 1 × 402 और 2 × 40, 240 वा. रेटिंग	IS : 10322-85 भाग : 05

1	2	3	4	5	6
11	2259352	91-07-16	नागयणी इंडस्ट्रीज, 1251-बी, अरवनाशी रोड, पीनामेड, कोयम्बतूर-641004	निमज्जय पम्पसेट के लिए मोटर, 415 घी, 50 हर्ट्ज, संवर्ग "बी" वेट टाइप रेटिंग 13.7 किवा और 5.5 किवा	IS : 09283 : 79
12	2258453	91-07-16	रिलायबल इलेक्ट्रॉनिक्स, डी-1/4 संजय कालोनी, सेक्टर 24, फरीदाबाद	एक फेजी, छोटी ए सी मोटर, 106 वा, श्रेणी ई रोधन संचारित्र स्टार्ट और रनफेन ड्यूटी डेजर्ट कूलर में प्रयोग के लिए	IS : 00996 : 79
13	2258554	91-07-16	लाल केबल्स, 178-जी, लाइट इंडस्ट्रियल एरिया, भिलाई, जिला दुर्ग (म.प्र.)	1100 घी तक कार्यकारी बोटिंग के लिए खोलदार और खोल रहित एल्यूमीनियम चालकों वाली पी घी सी रोधित केबल	IS : 00694 : 77
14	2258655	91-07-16	शिव इंडस्ट्रीज, डोलरा रोड, विलासपुर (म.प्र.)	घरेलू प्रयोजनों के लिए टेलर माइल, हस्त चालित	IS : 01610 : 81
15	2258756	91-07-16	बगाडे इंडिया इंजी. कं., प्लॉट नं. सी-123, टी टी सी एरिया, एम ब्राई जी सी, तुर्भी, नया बम्बई 400 413	शिरोपरि प्रेषण हेतु एल्यूमीनियम के लड़दार चालक	IS : 00393 : 76 भाग : 01
16	2258857	91-07-16	एग्रो टैंक इंडिया इन्-या लि., ग्रा बुधवल, बंडीगढ़- लुधियाना रोड, जि-लुधियाना (पंजाब)	वनस्पति पैकिंग के नम्य पैक, 1 किग्रा और 1/2 किग्रा धारिता केवल	IS : 11352 : 85
17	2258958	91-07-16	फलो इंडिया एग्रो इंडस्ट्रीज, 110 ग्रामर एस्टेट, फोर्ज एंड ब्लोअर, नारोडा रोड, अहमदाबाद 380025	कृषि प्रयोजनों के लिए साफ, ठंडे, ताजे पानी के लिए मोनो सैट पम्प टाइप डब्ल्यू एच 5	IS : 09079 : 79
18	2259051	91-07-16	रिलायबल इलेक्ट्रॉनिक्स, डी-1/4 संजय कालोनी, सेक्टर 24, फरीदाबाद	डेजर्ट कूलर के लिए पम्पसेट एक फेजी, 11 वा, शेड्ड ध्रुव, 1200 चप्रमि, श्रेणी ई रोधन महित मोटर उठाव 1 मी निकास-7 लिटर/मिनट	IS : 11951 : 87
19	2259152	91-07-16	बंगाल शीट मेटल वर्क्स, 71 डा. अरुनी दत्ता रोड, हावड़ा	बाइ लगाने के लिए जम्नीकृत इस्पात के दांतेदार तार, टाइप 'बी' माइज पदनाम 1 से 6 तक	IS : 00278 : 78
20	2259253	91-07-16	भारत आयल कं. (इंडिया), (रजि.) ई-18 साहिबाबाद इंड एरिया, साइट 4, गाजियाबाद	सामान्य प्रयोजन हेतु मशीनरी तेल ग्रेड 1, वी जी-32 केबल	IS : 00493 : 81 भाग : 01
21	2259354	91-07-16	मन्नी पेन्ट एंड टार प्राइवेट, 72-ए, सेक्टर सी, सनवर रोड इंड एस्टेट, हंदौर	वायु में सूखने वाला प्राइमिंग हेतु रेड आक्साइड जिंक क्रोम तैयार शुद्ध रोगन	IS : 02074 : 79

1	2	3	4	5	6
22.	2259455	91-07-17	रायल सीमी केबल कारपो. प्लॉट नं. ई-7, मेई-10, इंड एस्टेट, फेज 2, कुड्डाघाट (म. प्र.) 516 001	शिरोपरि प्रेषण के लिए जस्तीकृत हस्तात प्रबलित एल्यूमीनियम चालक	IS : 00398 : 76 भाग : 02
23.	2259556	91-07-16	शिवालिक एग्री केमिकल्स, बी-59, फेज-7, एस ए एम नगर, मोहाली जिला रोड (पंजाब)	बी एच सी (एच सी एच) 1.3% (द्रव्यमानानुसार) भुकरन चूर्ण फार्मूलेशन, केबल	IS : 00561 : 78
24.	2259657	91-07-16	एंकर इलेक्ट्रानिक्स एंड इलेक्ट्रि- कल्स, 42 मिडपुरा इंड एस्टेट, एस बी रोड, गोरेगांव (पश्चिम) बम्बई	माकेट आउटलेट, फ्लश टाइप 6 एम्प, 250 वो एसी	IS : 01293 : 88
25.	2259759	91-07-16	एंकर इलेक्ट्रानिक्स एंड इलेक्ट्रि- कल्स, 42 मिडपुरा इंड एस्टेट एस. बी. रोड, गोरेगांव (पश्चिम) बम्बई	घरेलू और ऐम ही प्रयोजनों के लिए स्विच, 6 एम्प, 250 फ्लश टाइप	IS : 03854 : 65
26.	2259859	91-07-16	किलोस्ट प्रा लि, 7-सी इंड एरिया, गोविन्दपुरा, भोपाल 462023	क्विनालफॉम 25% पायसनीय सांद्र	IS : 08028 : 87
27.	2259960	91-07-16	सुपर पम्पस् प्रा लि, 15-16 बी इंड एरिया, गोविन्दपुरा भोपाल (म. प्र.)	निमज्ज्य पम्पसेट, माडल 6 डी	IS : 08034 : 89
28.	2260036	91-07-16	स्विट्जर इंस्ट्रुमेंट्स लि, 188 सिडको एस्टेट, मन्नास 600098	दाब तथा ताप स्विचों हेतु ज्वाला सह खोल टाइप जी ई, 15 ए, 550 वो, 3 फेजी, 50 हर्ट्ज, ग्रुप II ए	IS : 02148 : 81
29.	2260137	91-07-16	शौनक वाणिज्य उद्योग प्रा लि, 25 खेल दाम एंडी रोड, कलकत्ता 700027	उर्वरक पैकिंग हेतु 380 ग्रा/ मी, 68 × 39 टारपुलिन कपड़े से उत्पादित पटसन के कट्टे	IS : 07406 : 86 भाग : 02
30.	2260238	91-07-16	शौनक वाणिज्य उद्योग प्रा लि, 25 खेल दाम एंडी रोड, कलकत्ता 700027	उर्वरक पैकिंग हेतु 407 ग्रा/ मी, 85 × 39 टारपुलिन कपड़े से उत्पादित पटसन के कट्टे	IS : 07406 : 84 भाग : 01
31.	2260339	91-07-16	यूनाइटेड जूट बैग्स, टिफ्रा, विलासपुर, (म. प्र.)	सीमेंट पैकिंग के लिए पटसन के हल्के कट्टे	IS : 12154 : 87
32.	2260440	91-57-16	बि एसोसिएटेड सीमेंट कं. लि, कैमूर सीमेंट वर्क्स, डा-कुमौर, जि-जबलपुर (म. प्र.)	43 ग्रेड साधारण पोर्टलैंड सीमेंट	IS : 08112 : 89
33.	2260541	91-07-16	रेमण्ड सीमेंट वर्क्स, गोपाल नगर, डा, जि-विलासपुर, (म. प्र.) 495663	43 ग्रेड साधारण पोर्टलैंड सीमेंट	IS : 08112 : 89

1	2	3	4	5	6
34.	2260642	91-07-16	एंकुर इलेक्ट्रानिक्स एंड इलेक्ट्रिकल्स, ए-2, 481-489 शाह गंज नाहर एंड इस्टेट, धनराज मिल कंपाउंड, लोअर पारेल, बम्बई-400013	वायोनैट लैम्प होल्डर, पेन्डेन्ट टाइप बी-22 डी, रोशिन 2 ए, 250 वो एसी	IS : 01258 : 79
35.	2260743	91-07-16	स्टार इलेक्ट्रिकल्स, एम-93 और 10 इंड एस्टेट, जगतपुर कटक—754021	सामान्य प्रयोजन के लिए टंग- स्टन फिनामेंट बिजली का बल्ब, 60 वा, से 100 वा तक, 250 वो, कंडलित कुडली बी-22 डी सहित	IS : 00418 : 78
36.	2260844	91-07-16	बुक इंजी इण्डस्ट्रीज, 22 ए. टी. टी. कालोनी, कोयम्बतूर 641018	जेट अपकेन्द्री पम्प संयोजन, माइल जैनक जे एम बी-2	IS : 12225 : 87
37.	2260945	91-07-01	रोहताम इंडस्ट्रीज (वनस्पति डिवीजन) डालमिया नगर, जि-रोहताम (बिहार) 821305	वनस्पति	IS : 10633 : 86
38.	2261038	91-07-16	बाडाला सीमेंट पाइप कं., बाडाला बाहिरोबा, तालुका न्यूआसा, जि-अहमदाबाद	कंक्रीट पाइप एनपी 2 श्रेणी माइज 600 मिमी केवल	IS : 00458 : 88
39.	2261139	91-07-16	बख्शेशा मैटकास्ट लि, 276/3 औधव रोड, औधव पुलिस स्टेशन के पास, अहमदाबाद 382910	संरचना इस्पात (मानक किस्म) में वेल्डिंग हेतु छेले बिलेट इंगठ, ग्रेड 1 और 2	IS : 06914 : 78
40.	2261240	91-07-16	वीकसुम कारपोरेशन (प्रा) लि, मानपुर, दक्षिण सिक्किम	वनस्पति और खाद्य तेलों के लिए 15 किग्रा चौकार कनस्तर	IS : 10325 : 89
41.	2261341	91-07-16	गोवावरी स्टील रिगोलिंग मिल्स, एच-7/1 एडीशनल एमआईडीसी जलगांव 425001	एचएमडी सरिए ग्रेड एफई 415 साइज 16 मिमी तक	IS : 01786 : 85
42.	2261442	91-07-16	सर्वोत्तम इंडस्ट्रीज, प्लॉट नं. 127, बासाई नगर- पालिका उद्योग, बसाहत, पापडी गा, धोवाली, तालुक बसाई, जि-ठाणे 401207	घरेलू प्रयोग हेतु बिजली के नम्य तापन पैड, गैर जल सह 230 वो एसी	IS : 05161 : 69
43.	2261543	91-07-16	नेप्चून कंडक्टर्स प्रा. लि., डा. जनवे, तालुक आलमनेर, जलगांव	शिरोपरि प्रेषण के लिए एल्यूमीनियम के लड़दार चालक	IS : 00398 : 76 भाग : 01

1	2	3	4	5
44. 2261644	91-07-16	ओरिएन्टल सीमेंट पेन्ट्स इंडस्ट्रीज, 24/25 खेतानी इंड एस्टेट, अंधेरी कुर्ला रोड, (पश्चिम), बम्बई-400 070	वांछित रंग की सीमेंट रोगन	IS : 05410 : 69
45. 2261745	91-07-16	इंडस्ट्रीज एंड कैंमिकल्स, प्लाट नं. 40 और 81, मिडको इंड एस्टेट, रानीपेट 632 403	बीएचसी (एचसीएच) 6.5 (द्रव्यमानानुसार) ग्राइसोमर डब्लू डीपीसी फार्मुलेशन केवल	IS : 00562 : 78
46. 2261846	91-07-16	थर्मक्स कैंमिकल्स, 24/73 धोधर, फोर्ट रोड, रीवा (म.प्र.) 486 001	रोगाणुनाशी द्रव, काला, श्रेणी ग्रेड 3, टाइप सामान्य केवल	IS : 01061 : 82
47. 2261947	91-07-16	एम. एन. कैंमिकल इंडस्ट्रीज, टिगांव रोड, पुराना फरीदाबाद 121 002	बीएचसी (एचसीएच) 6.5 (द्रव्यमानानुसार) ग्राइसोमर डब्लू डीपीसी फार्मुलेशन केवल	IS : 00562 : 78
48. 2262040	91-07-16	भूषण ब्रवर्स (प्रा.) लि., ग्रा कुआनवाला, हरिद्वार रोड, जि. देहरादून (उ. प्र.)	33 ग्रेड साधारण पोर्टलैंड सोमेन्ट	IS : 00269 : 89
49. 2262141	91-07-16	हिन्दुस्तान वायर्स लि., बी.टी. रोड, डा. सुकधर, 24 परगना (प. ब.)	पूर्वप्रतिबलित कंक्रीट हेतु अलेपित विकृति मुक्तलड़, 3 प्लाई 3 मिमी	IS : 06006 : 83
50. 2262242	91-07-16	अशोक आयरन एंड स्टील रोलिंग मिल्स अशोक नगर, डा. चौरी-चौरी जि. गोरखपुर (उ.प्र.) 273 201	संरचना इस्पात (मानक किस्म)	IS : 00226 : 75
51. 2262343	91-07-16	नार्थ स्पन पाइप्स (प्रा.) लि., ए-67, एम आईडीसी इंड. एस्टेट, लातूर (महा)	पूर्व ढले कंक्रीट पाइप एनपी- 2 श्रेणी	IS : 00458 : 88
52. 2262444	91-07-16	भारत सीमेंट प्रॉडक्शन्स, सी-13, एडीएमआईडीसी, जालान 431 603	पूर्व ढले कंक्रीट पाइप एनपी श्रेणी 2	IS : 00458 : 88
53. 2262545	91-07-16	नवनिर्माण प्रा लि., 1/2 इंड एरिया, गोविन्दपुरा, भोपाल 462 023	पूर्व ढले कंक्रीट पाइप, एन पी श्रेणी 2	IS : 00458 : 88
54. 2262646	91-07-16	एचबी रबड़ इंडस्ट्रीज, 38/39 जयबीबी लेन, धूमुरी, हावड़ा	मड़क और रेल के विद्युतबद्ध टैकर होज पैट्रोलीयम उत्पाद प्रतिरोधी टाइप 1 बी और 2 बी केवल	IS : 10733 : 83
55. 2262747	91-07-16	हिन्दुस्तान पेट्रोकेमिकल्स, खसरा नं. 218, ग्रा. मेहतापुर, बदरपुर नई दिल्ली	मड़क के लिए विद्युतमैन इमल्शन (धनायन टाइप) मध्यम सीकिंग केवल	IS : 08887 : 78
56. 2262848	91-07-16	कैटल फीड फैक्ट्री (इंदौर दुग्ध संघ सहकारी मर्यादित 2 की इकाई), चावा जलावाली भंगलिया, इंदौर 453 771	पशुओं के लिए मिश्रित पशु- आहार टाइप 2 केवल	IS : 02052 : 79

1	2	3	6	5	6
57.	2262949	91-07-16	इंदौर एन्टरप्राइजेज, 1068 (पुराना 702) जैसोर रोड, कलकत्ता-750 028	सामान्य प्रयोजनों के लिए पानी हेतु खड़ होज टाएज 1 और 2 केवल	IS : 00444 : 87
58.	2263042	91-07-16	राहुल भूट इंटरनेशनल 40/1 "ए" रोड, बनानगाछी, हावड़ा	ज्वरक पैकिंग के लिए 380 ग्रा/मी ² 68 × 38 टारपुलिन कपड़े से उत्पादित पटसन के कट्टे	IS : 07406 : 86
59.	2263143	91-07-16	वरुण प्लास्टिक्स, लाला लाजपत राय मार्ग, कांचीबेट्टु, उडुपी, कर्नाटक 576 102	पेयजल आपूर्ति हेतु यूपीसी के पाइप, श्रेणी 2, साइज 63 मिमी से 110 मिमी तक, सादे मिरे केवल	IS : 04985 : 88
60.	2263244	91-07-16	मीरा सीमेंट्स प्रा. लि., डा—गोटन, जि—नागपुर 342902	33 ग्रेड साधारण पोर्टलैंड सीमेंट	IS: 00269 : 89
61.	2263245	91-07-16	बंगाल हैमार इंडस्ट्रीज प्रा. लि., 58/1 मालीपंचवड़ा स्ट्रीट, (बाली मजूमदार रोड) डा—धुसूरी, हावड़ा	संरचना इस्पात (मानक किस्म)	IS: 00226 : 75
62.	2263446	91-08-01	एबरोल टेडिंग कं., एच—75-76, लक्ष्मीनगर, दिल्ली-110092	वायुवियोज्य स्विच फ्यूज संयोजन इकाई	IS: 04064 : 78 भाग : 01
63.	2263547	91-08-01	यार्क कैमीकल इंडस्ट्रीज प्रा. लि., डी—5 एस एम ए कॉप इंड एस्टेट, लि., जी. टी. करनाल रोड, दिल्ली-110033	विद्युत् प्रयोजनों हेतु दाब संवेदी आसंजी टेप, प्लास्टीकृत, पॉली विनाइल टेप, नानथर्मोसैटिंग आसंजक	IS: 07809 : 86 भाग : 03
64.	2263648	91-07-16	आई. ए. स्विचेस लि., आई ए एस हाउस, नकोदर रोड, जालंधर शहर	अतिलघु वायु वियोज्य परिपथ वियोजक, 6 एम्प से 25 एम्प तक 415 वो, एस. पी. ड्यूटी संवर्ग एम 9	IS: 08828 : 78
65.	2263749	91-08-01	मागर इलेक्ट्रिकल्स, 662/9 सी, गली नं. 1, पंजाबी बस्ती मिलिट्री रोड, नई दिल्ली-110005	बिजली की इस्तरि, तापस्थापी, 750 वा, 250 वो डले लोहे की तल प्लेट महिन	IS : 00366 : 85
66.	2263850	91-08-01	श्री विष्णु रोपिंग मिल्स, 2, कुमारपाड़ा लेन, जिलुह, हावड़ा	तप्त बेल्डित इस्पात पत्तियां (बेलिंग) साइज 1.6 × 25 मिमी ग्रेड मुबु	IS: 01029 : 70
67.	2263951	91-08-01	राको मार्केटाइन ट्रेडर्स, ई—12 इंड एस्टेट, तालकटोरा लखनऊ-226011	सामान्य प्रयोजनों हेतु एल्युमीनियम रोगन	IS: 02339 : 63
68.	2264044	91-08-01	पारूल कैमीकल्स प्रा. लि., ए—1/96, जी आई डी सी, नंदेसारी इंड., एस्टेट, जि—बड़ोदरा (गुजरात)	क्विनालफॉस 25% (द्रव्यमाना- नुसार) ई सी फार्मिलेशन केवल	IS: 08028 : 87

1	2	3	4	5	6
69.	2264145	91-08-01	एस. एन. कैमीकल, टिगांवरोज, पुराना फरीदाबाद- 121002	एन्डोसल्फान 35% (द्रव्यमानानुसार) ई सी फार्मिलेशन केवल	IS : 04323 : 80
70.	2264246	91-08-01	मिरिस इंडिया लि., गम्भीडी डाला आ., जरसापुर तालुक गिल्मारम मंड, जि-मेडक (आ.प्र.)	ब्यूटाक्लोर तकनीकी ग्रेड	IS : 02355 : 80
71.	2264347	91-08-01	शियालिक एसो कैमीकल्स, बी-59, फेज-7, इंड फोकल प्वाइंट, एम ए एम नगर, जि-रोपड़ (पंजाब)	फास्फोमिडान 85% (द्रव्यमाना- नुसार) डबल एम सी केवल	IS : 06177 : 81
72.	226448	91-08-01	श्रोयसन केबल इंडस्ट्री, 109/3 ए ईस्ट अजरनगर, दिल्ली-115051	1100 वो तक कार्यकारी वोल्टता के लिए खोल रहित और खोलदार तांबा चालको वाली पी वी सी रोधित केबल	IS : 00694 : 77
73.	2264549	91-08-01	नवयुग एपलाइमेंस (इंडिया) बी-52, मायापुरी इंड एरिया, फेज 1, नई दिल्ली	बिजली की इस्तरिया, तापस्थापी 750 वा, 230 वो एल्युमीनियम की तन प्लेट सहित	IS 00366 : 85
74.	2264650	91-08-01	यूनिप्लास इंडिया लि. (यूनिट 2), बी-189 फेज 2, तीण्डा, जि-गाजियाबाद	कृपि पम्प सैट की आपूर्ति लाइनों के लिए यू पी वी सी पाइप टाइप 1 वा और 2 वा और माइज 63 मिमी से 140 मिमी.	IS : 12231 : 87
75.	2264751	91-08-01	एकमा केबल इंडस्ट्रीज, खसरा नं., 76, आ-रतहोला, डा. -नांगलोई, दिल्ली-110043	1100 वो तक कार्यकारी वोल्टता के लिए खोलदार और खोल रहित पीवी सी रोधित एल्यु- मीनियम और तांबा चालक	IS : 00694 : 77
76.	2264852	91-08-01	एकमा केबल इंडस्ट्रीज, खसरा नं. 46, आ-रतहोला, डा-नांगलोई, दिल्ली-110043	1100 वो तक कार्यकारी वोल्टता के लिए कवचित और अकवित एल्युमीनियम और तांबा चालक	IS 01554 : 88 भाग : 01
77.	2264953	91-08-01	पाइरोसिस्टम्स प्रा. लि., टाइप-II, 16, विक्रम साराभाई इंस्ट्रॉनिक एस्टेट, मद्रास-600041	बिजली के सतत पानी गर्म करने के हीटर, 3 किवा, 1.5 बंद टाइप श्रेणी 2, गैर स्वतः रिसैटिंग ताप कट आउट सहित	IS 08978 : 85
78.	2265046	91-08-01	के वी कैमीकल्स, डी-156 टी टी सी एरिया, एम आई डी सी, ठाणे-बेलापुर रोड, जि-ठाणे-400704	अग्नि शमन हेतु यांत्रिक भाग उत्पन्न करने के लिए फ्लूरो प्रोटीन भाग	IS : 04989 : 87 भाग : 03
79.	2265147	91-08-01	हुसाली मॉडल इंडस्ट्री, एफ-112 करतारपुरा इंड एरिया, बायस गोदाम, जयपुर-302006	कॉशिका द्वारा पूरित गैर दाब स्टोव, बबुबली टाइप	IS : 02980 : 86

1	2	3	4	5	6
80.	2265248	91-08-01	सिद्धार्थ उद्योग, प्रा—परासिया डा—शाहरतगढ़, जि—सिद्धार्थ नगर-272205	कंक्रीट पाइप एन पी 2, श्रेणी, साइज 300 से 450 मिमी, 600 और 900 मिमी	IS : 00458 : 71
81.	2265349	91-08-01	डोर्स (इंडिया) प्रा. लि., मगरवाड़ा, उम्राव (उ.प्र.)	लकड़ी के फलश दरवाजे की शटर (टोम क्रीट) टाइप, टाइप बी एन क्रॉस ब्रैन्डसहित और फलक परत चढ़ी फल पैनल	IS : 02202 : 83 भाग : 01
82.	2265450	91-08-01	क्रॉपकेयर पेस्टीसाइड्स (इंडिया) प्रा. लि., 51.8 किमी का पथर जी. टी. रोड, कुरार, इब्राहिमपुर, मुरथल, जि—सोनीपत (हरियाणा)	2.4 डी, इथाइल एस्टर 34% द्रव्यमानानुसार ई सी फार्मूलेशन केवल	IS : 10243 : 82
83.	2265551	91-08-01	के बी कैमीकल्स, डी—156 टी टी सी एरिया, एम आई डी सी, ठाणे—बेलापुर रोड, जि—शिरावणे, नया बम्बई-400706	अग्निशमन हेतु शुष्क पाउडर, साधारण टाइप	IS : 04308 : 82
84.	2265652	91-07-16	रुचिसोया इंडस्ट्रीज लि., (वनस्पति एंड फूड प्रॉसेसिंग यूनिट) प्रा—तालवासी-चांदा, ए. बी. रोड, इंदौर	वनस्पति	IS : 10633 : 86
85.	2265753	91-08-01	निकको स्टील्स लि., डा—अथपुर शमनगर 24 परगना (उ)	सामान्य इंजीनियरी प्रयोजनों हेतु मुबु इस्पात की तार छड़	IS : 07837 : 75
86.	2265834	91-08-01	निकको स्टील्स लि., डा—अथपुर शमनगर, 24 परगना (उ)	धातुआर्क वेल्डिंग के इलेक्ट्रोड कोड तार हेतु मुबु इस्पात—साइज 14 मिमी व्यास, रिमिंग गुणता केवल	IS : 02879 : 75
87.	2265955	91-08-01	राकी मार्कोटाइल ट्रेडर्स, बी—2, इंडस्ट्रियल एस्टेट, तालकटोरा, लखनऊ-226011	भवनों के अन्दर प्रयोग के लिए संश्लिष्ट इनेमल	IS : 00133 : 75
88.	2266048	91-08-01	राको मार्कोटाइल ट्रेडर्स, बी—2, इंडस्ट्रियल एस्टेट, तालकटोरा, लखनऊ-226011	प्राशमिग हेतु हवा में सूखने वाले रेड ग्राफाइट जिक क्रोम तैयार गुदा रोगन	IS : 02074 : 79
89.	2266149	91-08-01	श्री आनन्द इंडस्ट्रीज, बुलन्दशहर रोड, प्रा—छपरौला, जि—गाजियाबाद	पशुओं के लिए मिश्रित पशु आहार टाइप 2 केवल	IS : 02052 : 79
90.	2266250	91-08-01	भंडारी केबल्स एंड कंडक्टर्स, 15-5 किमी बेलगाम, शिनोली तालुक—चांदगढ़, जि—कोल्हापुर- 416508	शिरोपरि प्रेषण के लिए अस्तीकृत इस्पात प्रबलित एल्युमीनियम चालक	IS : 00398 : 76 भाग : 02

1	2	3	4	5	6
91. 2266351	91-08-01	कोल्ट केबल्स प्रा. लि., खोपोली पैन रोड, नालुक पैन, जि—रायगढ़	3. 33. 3 के ग्रूमसम्पर्कित तंत्र के लिए कवचित और अकव- चित पीवीसी रोधित (हैवी ड्यूटी) बिजली की केबल	IS : 01554 : 81 भाग : 02	
92. 2266452	91-08-01	एंकर इलेक्ट्रानिक्स एंड इलेक्ट्रिकल्स, ए-2/48 मे 483, शाह एंव नाहर इंडस्ट्रियल एस्टेट, धनराज मिल कंपाउंड, लोअर पारेल बम्बई- 400013	घरेलू और ऐसे ही प्रयोजनों के लिए 6 एम्प, 250 वो, एक ध्रुवी, वन वे फ्लश टाइप स्विच	IS : 03854 : 88	
93. 2266553	91-08-01	शिल्पा रि-रोलर्स प्रा. लि., प्लाट नं. 2, 3, 4 बंजारा ले-आउट कामपटी रोड, नागपुर-440025	बेल्डनीय संरचना स्टील ग्रेड एफई 410 डब्ल्यू	IS : 02062 : 84	
94. 2266654	91-08-01	अशोक आयरन एंड फाउन्ड्री ऑटोमोबाइल्स एंड एग्रो इंडस्ट्रीज रोहतक रोड, बरखारी दादरी	मल, गंदेजल और संवाती पाइप के लिए बालू के साँचे में ढले लोहे के स्पिगट और साँकेट फिटिंग और अन्य सहा- यकांग	IS : 01729 : 79	
95. 2266755	91-08-01	जैनसंस केबल्स, गैलेक्सी सिनेमा, नारोडा, अहमदाबाद-382325	1100वो तक कार्यकारी वोल्टता के लिए एल्युमीनियम और तांबा चालको वाली पीवीसी रोधित (हैवी ड्यूटी) केबल	IS : 01554 : 76 भाग : 01	
96. 2266856	91-08-01	जैनसंस केबल्स, गैलेक्सी सिनेमा, नारोडा, अहमदाबाद-382 325	1100वो तक कार्यकारी वोल्टता के लिए खोलदार और खोलरहित कवचित और अकवचित पीवीसी रोधित एल्युमीनियम केबल	IS : 00694 : 77	
97. 2266957	91-08-01	विशेष इस्पात प्रा. लि., गुजरात स्टील ट्यूब्स, कालीगाम, अहमदाबाद-382 470	एचएसडी सरिए, 415 माइज 8 मिमी से 32 मिमी तक	IS : 01786 : 79	
98. 2267050	91-08-01	एच बी इंडस्ट्रियल इलेक्ट्रॉनिक लि, 1 बी-52/53, इलेक्ट्रानिक एस्टेट, सेक्टर 25, गांधी नगर, (गुजरात)-382023	घरेलू और ऐसे ही प्रयोजनों के लिए स्विच, 6 एम्प 250 वो, फ्लश टाइप वन वे, टू वे, और वैनपुश और वन वे	IS : 03854 : 88	
99. 2267151	91-08-01	अमिल होम एप्लाइंसेज, 3024/222 चंदनगर, दिल्ली-110035	घरेलू प्रयोग के लिए द्रव्य के चूल्हे, निकिल क्रोमियम और स्टीनलेस इस्पात ढांचा, सीआईगर्नर टेपड	IS : 04246 : 84	
100. 2267252	91-08-01	रिपब्लिक इंजीनियर्स, बी-3, मिलमिल इंड. एरिया, शाहदरा, दिल्ली-110095	पिटवां एल्युमीनियम के बर्तन (गेर स्टिक) टाइप	IS : 01660 : 82 भाग : 01	
101. 2267353	91-08-01	संविजय रिरोलिंग एंड इंजी. वर्क प्रा. लि., एफ-16, एमआईडीसी, हिंगना रोड, नागपुर	बेल्डनीय संरचना इस्पात ग्रेड 410 डब्ल्यू ए	IS : 02062 : 84	

1	2	3	4	5	6
102.	2267454	91-08-01	संसू इलेक्ट्रॉनिक्स प्रा. लि., 374 अजी इंड एरिया, फेज 2 राजकोट-360 003	कृषि यंत्रों के लिए तीन केजी मिक्चरिल पिजरी प्रेरण मोटर, 2. 2 किवा और 3. 7 किवा, श्रेणी ए 3. 7 सहित, 4 ध्रुव, 415 वो	IS : 07538 : 75
103.	2267555	91-08-01	ग्राइडियल स्टील रोलर्स प्रा. लि., आगरा-बम्बई रोड, राजेन्द्र रोड, हंदौर (म. प्र.)	संरचना इस्पात (मानक किस्म)	IS : 00226 : 75
104.	2267656	91-08-01	ऑटो बैट बैटरीज प्रा. लि., मर्वे नं. 96/1एम एच नं. 8, डुमराल गांव रोड, डुमराल (गुजरात)-378001	मोटर वाहन के लिए सीसा अम्ल संचायक सेल 12 वो, 88 एंप क्षमता	IS : 07372 : 74
105.	2267757	91-08-01	सीके इलेक्ट्रॉनिक्स, 63/ए जीआईडीसी इंड एस्टेट, औधव, अहमदाबाद-382415	फ्लोरोसेन्ट लैम्प के लिए स्टार्टर, दो पिन कनस्तरओ और ग्लो टाइप 20/40/80 वा, 230/250 वो	IS : 02215 : 83
106.	2267859	91-08-01	भारत इलेक्ट्रिकल एमेसरीज, डी 2/7 इंड एस्टेट, अजंजुल, जिन्टेकानल (उड़ीसा)-759122	शिरोपरि प्रेषण के लिए एल्युमीनियम मिश्रधातु के लड़ (एल्युमीनियम मैग्नीशियम-मिलिकॉन टाइप)	IS : 00398 : 79 भाग : 04
107.	2267959	91-08-01	एपेक्स केबल्स (प्रा. लि., ग्रा-मंघौर, हैरायण गढ़ रोड, अम्बालाशहर - (हरियाणा)	1100 वो तक कार्यकारी वोल्टता के लिए पीवीसी रोधित केबल एल्युमीनियम की खोलदार केबल	IS : 00694 : 77
108.	2268052	91-08-01	राँकवैल डिवाइसेज (प्रा.) लि., मर्वे नं. 849, इंड एस्टेट, मडकल, आर. आर. जि (मा.प्र.)	पानी के कूलर	IS : 01475 : 78

[सं. के. प्र. वि./13-11]

एस. सुब्रह्मण्यन, अपर महानिदेशक

New Delhi, the 14th November, 1991

S.O. 3009 :—In pursuance of sub-regulation (5) of the Bureau of Indian Standards (certification) Regulations, 1988, the Bureau of Indian Standards, hereby notifies the grant of licences particulars of which are given in the following schedule.

SCHEDULE

Sl. No.	CM/L-No.	Operative Date	Name & Address of the Party	Article /Process covered by the Licence	IS : No./Part.
1	2	3	4	5	6
1.	2257350	91-07-16	Sandeep Concrete Products Arunshree Compound Mahavir Nagar, Baglimpalgaon, Georai, Distt. Beed-431 127	Precast Concrete Pipes of NP 2 Class, Sizes 300, 450 600 and 800 MM	IS : 00458 : 88
2.	2257451	91-07-16	Bagade India Engg. Ltd., Plot No. C-423, T.T.C. Indl. Area, MIDC Turbhe New Bombay-400613	Aluminium Conductors, Galvanized Steel Reinforced for Overhead Transmission Purposes	IS : 00398 : 76 Part : 02

1	2	3	4	5	6
3.	2257552	91-07-16	Patel Wire Industries Gat No. 435, Plot No. 7 & 8 Village Talegaon Taluka Igatpuri, Distt. Nasik-422403	Aluminium Conductors, Galvanized Steel Reinforced for Overhead Transmission Purposes	IS : 00398 : 76 Part : 02
4.	2257653	91-07-16	Patel Wire Industries Gat No. 435 Plot No. 7 & 8 Village Talegaon Taluka Igatpuri, Distt. Nasik-422403	Aluminium Stranded Conductors for Overhead Transmission Purposes	IS : 00398 : 76 Part : 01
5.	2257754	91-07-16	EPC Electrical Pvt. Ltd., 71 A, Tollygunge Road, Calcutta-700033	Three Phase Induction Motor From 0.75 KW upto and including 3.7 KW with Class 'B' Insulation.	IS : 00325 : 78
6.	2257855	91-07-16	Binod Traders Dakshin Para, Mankundu Distt. Hooghly (WB)	Tea chest metal Fittings	IS : 00010 : 89 Part : 04
7.	2257956	91-07-16	G.K. Wires & Cables A-70, DDA Shed Phase-II New Okhla Indl. Area, New Delhi-110020	PVC Insulated Windings Wires for Submersible Motors Type 2, Grade-I	IS : 08783 : 78
8.	2258049	91-07-16	Jainex (India) 2791, Kinari Bazar, Delhi-110006	Mica Insulated Heating Elements.	IS : 06446 : 86
9.	2258150	91-07-16	Kukreja Transformer Mfg. Co. A-9, Wazirpur Indl. Area, Delhi-110052	Weldings Cables with General Purpose Rubber Compound with Polyester Tape Separator and Aluminium Conductor.	IS : 09857 : 81
10.	2258251	91-07-16	Twinkle Industries, 41, Prakash Indl. Estate, G.T. Road, P.O. Sahibabad Ghaziabad.	Fluorescent Lamps 1 x 402 and 2 x 40 W, 240 V Ratings	IS : 10322 : 85 Part : 05
11.	2258352	91-07-16	Narayan Industries, 1251-B, Avanashi Road, Peelamedu P.O. Coimbatore-641004	Motors for Submersible Pumpsets Three Phase- 415 V, B 50 HZ, Category 'B' Wet Type, Rating 3.7 KW and 5.5 KW	IS : 09283 : 79
12.	2258453	91-07-16	Reliable Electronics, D-1/4, Sanjay Colony Sector-24 Faridabad.	Single-Phase Small AC Motors, 106, Watts, Class E Insulation Capacitor Start and Run, Fan Duty for use in Desert Cooler	IS : 00996 : 79
13.	2258554	91-07-16	Lal Cables 178-G, Light Indl. Area, Bhilai. Distt. Durg (M.P.)	PVC insulated cables for Working Voltages upto and including 1100 V, Sheathed and Unsheathed with Aluminium Conductor.	IS : 00694 : 77
14.	2258655	91-07-16	Shiv Industries Dholra Road, Bilaspur (H.P.).	Sewings Machines for Household Purposes, Tailor Model Hand operated.	IS : 01610 : 81
15.	2258756	91-07-16	Bagade India Engs Co. Plot No. C-423 TTC Indl. Area. MIDC, Turbhe New Bombay-400413	Aluminium Stranded Conductors for Overhead Transmission Purposes.	IS : 00398 : 76 Part : 01

1	2	3	4	5	6
16. 2258857	91-07-16	AGRO Tech India Ltd. Village Budhewal Chandigarh-Ludhiana Road, Distt. Ludhiana (Pb.)	Flexible Packs for Packings of Vanaspati, 1 Kg. and 1/2 Kg. Capacity only.	IS : 11352 : 85	
17. 2258958	91-07-16	Flow India AGRO Industries 110, Amar Estate, Opp. Forge & Blower Naroda Road Ahmedabad-380025	Monoset Pumps for Clear, Cold, Fresh Water for Agriculatural Purposes, of Type WH5	IS : 09079 : 79	
18. 2259051	91-07-16	Reliable Electronics D-1/4, Sanjay Colony Sector -24 Faridabad	Pumpsets for Desert Coolers having Single Phase, 11W, Shaded Pole, 1200 RPM, Class E Insula- tion Motor, Head = 1m, Discharge=7/L/min.	IS : 11951 : 87	
19. 2259152	91-07-16	Bengal Sheet Metal Works 71, Dr. Abani Dutta Road, Howrah.	Galvanized Steel Barbed Wire for Fencing (Glidden Type), Type B, Size Designation 1 to 6.	IS : 00278 : 78	
20. 2259253	91-07-16	Bharat Oil Co. (India) Regd. E-18, Sahibabad Indl. Area Site 4 Ghaziabad.	General Prupose Machinery Oil, Grade I, VG-32 only.	IS : 00493 : 81 Part : 01	
21. 2259354	91-07-16	Sunny Paints & Tar Products, 72-A, Sector C Sanwer Road Indl. Estate, Indore.	Ready Mixed Paint, Air Drying, Red Oxide, Zinc-Chrome, Printing.	IS : 02074 : 79	
22. 2259455	91-07-16	Rayalaseema Cable Corpn. Plot No. E-7 to E-10, Indl. Estate, Phase-II Cuddapah (A.P.) 516001.	Aluminium Conductors, Galvaniized Steel Reinforced for Overhead Transmission Purposes	IS : 00398: 76 Part : 02	
23. 2259556	91-07-16	Shivalik Agro Chemicals B-59, Phase VII SAS Nagar Mohali, Distt. Ropar (Pb.)	BHC (HCH) 1.3r% (m/n) Dusting Powder Formulation only	IS : 00561 : 78	
24. 2259657	91-07-16	Anchor Electronics & Electricals 42, Sidhpura Indl. Estate, S.V. Road. Goregaon (W) Bombay.	Socket Outlets, Flush Type, 6A, 250 V, AC.	IS : 01293 : 88	
25. 2259755	91-07-16	Anchor Electronics & Electricals, 42, Sidhpura Indl., Estate, S.V. Road, Goregaon (W), Bombay.	Switches for Domestic and Similar Purposes, 6A, 250V, AC Flush Type.	IS : 03854 : 66	
26. 2259859	91-07-16	Kilpest Pvt. Ltd., 7-C, Indl. Area, Govindpura, Bhopal-462023.	Quinalphos 25% (m/m) Emulsifi- able Concentrate Formulation only	IS : 08078: 87	
27. 2259960	91-07-16	Super Pumps Pvt. Ltd., 15-16 B, Indl. Area, Govind Pura, Bhopal (MP).	Submersible Pumpsets of Model Sup-6D.	IS : 08034 : 89	
28. 2260036	91-07-16	Switzer Instruments Ltd. 188, SIDCO Estate, Madras-600098	Flameproof Enclosures Type GE for Pressure and Temperature Switches 15 A, 550 V, 3 Phase 50 HZ, Group II A	IS : 02148 : 81	

1	2	3	4	5	6
14.	2248955	91-06-16	Chimandas Ashok Kumar Engineering works A-5, Co-op Indl. Estate Ajantha Road Jalgaon	Submersible Pumpsets for clear, cold water of model K-1758	IS : 08034 : 89
15.	2249043	91-06-16	Prem Khalsa Iron & Steel Rolling Mills Guru-ki-Nagri mandi Gobindgarh (PB)	HSD Steel Bars, grade Fe 415 size 8 to 16 mm (except 10 mm)	IS : 01786 : 85
16.	2249149	91-06-16	Bangiya Bastushilpa Pratisthar 45/1, Madhusudan Banerjee Road, Calcutta-700083	Asbestos cement buliding pipes of diameter upto and including 80 MM(No M siz.) single Sakt 2 M lenth	IS : 01626 : 80 Part :01
17.	2249250	91-06-16	Amar Engineering Works 4/C, Salkia School Road Salkia Howrah 711106	General purpose shovels	IS : 00274 : 81 Part :01
18.	2249351	91-06-16	Techmo Industries 42, South street No. 2 Ganapathy PO Avarampalayam Coimbatore 641006	Jet centrifugal pump combination of type TVJ 801	IS : 12225 : 87
19.	2249452	91-06-16	ENBEST 48, Thadagam Road yelandi- Dhanraj Mini Compound Lower Phase Bombay-400013	Jet Centrifugal Pump combina- tion for types BHI and BH2	IS : 12225 : 87
35.	2260743	91-07-16	Star Electricals M-9 & 10, Indl. Estate Jagatpur Cuttack 754021	Tungsten Filament General Service Electric Lamps, 60 W Upto Includings 100 W, 250 W Coiled Coil With B-22d	IS : 00418 : 78
36.	2260844	91-07-16	Brooks Engg. Industries 22, A.T.T. Colony, Coimbatore-641018	Jet Centrifugal Pump Combination for Model GEC JMB 2	IS : 12225 : 87
37.	2260945	91-07-01	Rohtas Industries (Vanaspati Division), Dalminagar Distt. Rohtas (Bihar) 821305	Vanaspati	IS : 10633 : 86
38.	2261038	91-07-16	Vadala Cement Pipe Co. Vadala Bahiroba Taluka Newasa Distt. Ahmednagar.	Concrete Pipes NP 2 Class Size 600 mm only.	IS : 00458 : 88
39.	2261139	91-07-16	Darvesh Metcast Ltd., 276/3, Odhav Road, Near Odhav Police Station, Odhav, Ahmedabad 382410	Cast Billet Ingots for Rolling into Structural Steel (Standard Quality). Grade 1 and 2.	IS : 06914 : 78
40.	2261240	91-07-16	Theksum Corpn. (P) Ltd., Manpur South Sikkim.	15 Kg Square tins for Vanspati and Edible Oils.	IS : 10325 : 89
41.	2261341	91-07-16	Godavari Steel Re-Rolling Mills H-7/1, Additional MIDS Jalgaon 425001	HSD Steel Bars of Grade Fe 415 Sizes upto and Incl ding 16 MM	IS : 10786 : 85
42.	2261442	91-07-16	Sarvottam Industries, Plot No. 127, Vasai Nagarpallika, Udyog Vasahat, Papdi Village, Dhivali, Taluka Vasai, Distt. Thane 401207	Flexible Electric Heating Pads for Demestic Use Non-Water Proof having Rating 230 V AC only, 40 W with thermostats, Seting 90 DEG (max)	IS : 05161 : 69

1	2	3	4	5
29. 2260137	91-07-16	Shaunak Vanijya Udyog Pvt. Ltd., 25, Rakhal Das Addy Road, Calcutta -700027	Jute Bags for Packing Fertilizers, Laminated Bags Manufactured from 380 g/m ² , 68 × 39 Tarpaulin Fabric	IS : 07406 : 86 Part : 02
30. 2260238	91-07-16	Shaunak Vanijya Udyog Pvt. Ltd. 25, Rakhal Das Adly Road, Calcutta-700027	Jute Bags for Packing Fertilizers Laminated Bags Manufactured from 40 /g/m ² , 85 × 39 Tarpaulin Fabric	IS : 07406 : 84 Part : 01
31. 2260339	91-07-16	United Jute Bags Tifra Bilaspur (MP).	Light Weight Jute Bags for packing Cement	IS : 12154 : 87
32. 2260440	91-07-16	The Associated Cement Co. Ltd., Kymore Cement Works, PO Kumore, Distt. Jabalpur (MP) 483880	43 Grade Ordinary Portland Cement	IS : 08112 : 89
33. 2260541	91-07-16	Raymond Cement Works Gopal Nagar PO Distt. Bilaspur (MP) 495663	43 Grade Ordinary Portland Cement	IS : 08112 : 89
34. 2260642	91-07-16	Anchor Electronics & Electricals A-2, 481-483 Shah & Nahar Indl. Estate, Dhanraj Mill Compound Lower Parel Bombay-400013	Bayonet Lamp Holders, Pendant Type B-22nd, Insulated 2A, 250 V AC.	IS : 01253 : 79
35. 2260743	91-07-16	Star Electricals M-9 & 10, Indl. Estate Jagatpur Cuttack 754021	Tungsten Filament General Service Electric Lamps, 60 W Upto Includings 100 W, 250 V Coiled Coil With B-22d	IS : 00418 : 78
36. 2260844	91-07-16	Brooks Engg. Industries 22, A.T.T. Colony, Coimbatore-641018	Jet Centrifugal Pump Combination for Model GEC JMB 2	IS : 12225 : 87
37. 2260945	91-07-01	Rohtas Industries (Vanaspati Division), Dalminagar Distt. Rohtas (Bihar) 821305	Vanaspati	IS : 10633 : 86
38. 2261038	91-07-16	Vadala Cement Pipe Co. Vadala Bahiroba Taluka Newasa Distt. Ahmednagar.	Concrete Pipes NP 2 Class Size 600 mm only.	IS : 00458 : 88
39. 2261139	91-07-16	Darvesh Metcast Ltd., 276/3, Odhav Road, Near Odhav Police Station, Odhav, Ahmedabad 382410	Cast Billet Ingots for Rolling into Structural Steel (Standard Quality). Grade 1 and 2.	IS : 06914 : 78
40. 2261240	91-07-16	Theksum Corpn. (P) Ltd., Manpur South Sikkim.	15 Kg Square tins for Vanspati and Edible Oils.	IS : 10325 : 89
41. 2261341	91-07-16	Godavari Steel Re-Rolling Mills H-7/1, Additional MIDS Jalgaon 425001	HSD Steel Bars of Grade Fe 415 Sizes upto and Including 16 MM	IS : 10786 : 85
42. 2261442	91-07-16	Sarvottam Industries, Plot No. 127, Vasai Nagarpallika, Udyog Vasahat, Papdi Village, Dhovali, Taluka Vasai, Distt. Thane 401207	Flexible Electric Heating Pads for Demestic Use Non-Water Proof having Rating 230 V AC only, 40 W with thermostats, Setting 90 DEG (max)	IS : 05161 : 69

1	2	3	4	5
43. 2261543	91-07-16	Netptune Conductors Pvt. Ltd. PO Janve Tal Amalner Distt. Jalgaon.	Aluminium Stranded Conductors for overhead transmission Purpose	IS : 00398 : 76 Part : 01
44. 2261644	91-07-16	Oriental Cement Paints Industries 24/25, Khetani Indl. Estate Andheri Kurla Road Kurla (West) Bombay-400070	Cement Paint, Colour as Required	IS : 05410 : 69
45. 2261745	91-07-16	Industries & Chemicals Plot No. 49 & 81 SIDCO Indl. Estate Ranipet-632403	BHC, (HCH) 6.5% (m/m) ISOMER, WDPC Formulation only	IS : 00562 : 78
46. 2261846	91-07-16	Thermax Chemicals 24/73, Ghoghar Fort Road, Rewa (MP)-486001.	Disinfectant Fluid, Black, Class A, Grade 3 Type-Normal only.	IS : 01061 : 82
47. 2261947	91-07-16	S.N. Chemical Industries Tigaon Road Old Faridabad-121002.	BHC, (HCH) 6.5% (m/m) Isomer Water Dispersible Powder Concentrate Formulation only.	IS : 00562 : 78
48. 2262040	91-07-16	Bhusan Brothers (P) Ltd., Village Kuanwala Hardwar Road Distt. Dehradun (UP)	Ordinary Portland Cement 33 Grade	IS : 00269 : 89
49. 2262141	91-07-16	Hindustan Wires Ltd. B.T. Road, PO Sukchar, Sodepur, 24 Parganas (WB)	Uncoated Stress Relieved Strand for Prestressed Concrete upto and including 3 ply 3 mm	IS : 06006 : 83
50. 2262242	91-07-16	Ashok Iron and Steel Rolling Mills Ashok Nagar PO Chauri Chaura Distt. Gorakhpur (UP)-273201.	Structural Steel (Standard Quality)	IS : 00226 : 75
51. 2262343	91-07-16	Nath Spunpipes (P) Ltd., F-67, MIDC Indl. Estate, Latur (MS)	Precast Concrete Pipes of NP2 Class	IS: 00450 : 00
52. 2262444	91-07-16	Bharat Cement Products C-13, Addl. Mahdl, Jalna 431603	Precast Concrete Pipes of NP2 Class.	IS: 00458 : 88
53. 2262545	91-07-16	Nav Nirmaan Pvt. Ltd. 1/2, Indl. Area, Govindpura, Bhopal 462023	Precast Concrete Pipes of NP2 Class.	IS: 00458 : 88
54. 2262646	91-07-16	Ruby Rubber Industries 38/39, Jaibibi Lane Ghusury, Howrah	Electrically Bounded Road and Rail Tanker Hose of Rubber Resistance to Petroleum Products, Type 1 B and 2 B only	IS : 10733 : 83
55. 2262747	91-07-16	Hindustan Petrochemicals, Khasra No. 218 Village Methapur, Badarpur New Delhi	Bitumen Emulsion for Roads (Cationic Type) Medium setting only	IS: 08887 : 78

1	2	3	4	5	6
56. 2262848	91-07-16	Cattle Feed Factory (A Unit of Indore Dugdha Sangh Sahkari Maryadit). Chanda Talwadi Manglia Indore 453771	Compounded Feeds for Cattle, Type 2 only	IS 02052:79	
57. 2262949	91-07-16	R.K. Enterprises 1068 (OLD 702) Jessore Road Calcutta 700028	General Purpose Rubber Water House, Type 1 and 2 only	IS 00444 : 87	
58. 2263042	91-07-16	Rahul Jute International 40/1, 'A' Road Ranijheel Banangachhi Howrah	Jute Bags for Packing Fertilizers, Laminated Bags Manufactured from 380 9/62. 68 x 39 Tarpaulin Fabric	IS 07406 : 86 Part : 02	
59. 2263143	91-07-16	Varun Plstics Lala Lajpath Rai Marg Kanjibettu UDIPI (Karnataka) 576102	UPVC Pipes for Potable Water Supplies, Class 2 sizes 63 mm to 110 MM, Plain Ended	IS 04985 : 88	
60. 2263244	91-07-16	Meera Cements Pvt. Ltd. PO Gotan Distt : Nagpur 342902	Ordinary Portland Cement 33 Grade	IS 00269 : 89	
61. 2263345	91-07-16	Bengal Hammer Industries Pvt. Ltd. 58/1, Malipanchghara Street, (Kali Majumder Road) PO Ghusury Howrah	Structural Steel (Standard Quality)	IS 00226 : 75	
62. 2263446	91-08-01	Abrol Trading Co. H-75-76, Laxmi Nagar Delhi 110092	Air Break Switch Fuse Combination Units	IS 04064 : 78 Part : 01	
63. 2263547	91-08-01	Yorks Chemical Industries Pvt. Ltd. D 5, S.M.A. Co-op. Indl. Estate Ltd., G.T. Karnal Road, Delhi 110033	Pressure Sensitive Adhesive, insulating Tapes for Electrical Purposes; Plasticized Polyvinyl. Chloride Tapes with Non-Thermo- setting Adhesive.	IS : 07809 : 86 Part : 03	
64. 2263648	91-07-16	I. A. Switchgears Ltd. IAS House Nakodar Road, Jalandhar City	Miniature Air Break Curcuit Breakers, 6A to 25 A, 415 V SP Duty Category M9	IS 08828 : 78	
65. 2263749	91-08-01	Sagar Electrical, 662/9 C, Gali No. 1 Punjab Basti Military Road, Chowk New Delhi 110005	Electric Irons, Thermostatic, 750 W, 230 V, with Cast iron Sole Plate.	IS 00366 : 85	
66. 2263850	91-08-01	Shree Vishnu Rolling Mills, 2, Kumar Para Lane Liluah Howrah	Hot Rolled Steel Strips Baling Size 1.6 x 25 mm, Grade Soft.	IS 01029 : 70	
67. 2263951	91-08-01	Rako Mercantile Traders, E-12, Indl. Estate Talkatora, Lucknow 226011	Aluminium Paint for General Purposes.	IS 02339 : 63	
68. 2264044	91-08-01	Parul Chemicals Pvt. Ltd. A-1/96, GIDC Nandesari Indl. Estate, Distt. Vadodara (Gujarat).	Quinalphos 25% (m/m) EC Formulation only	IS 08028 : 87	

1	2	3	4	5	6
69. 2264145	91-08-01	S.N. Chemical Industries, Tigaon Road, Old Faridabad 121002	Endbojifan 35% (M/n) EC Formulation Only	IS 04323 : 80	
70. 2264246	91-03-01	Siris India Ltd. Guminadidala Village, Narsapur Taluq Ginnaran Mandal, Distt. Medak (AP)	Butachlor Technical Only.	IS : 09355 : 80	
71. 2264347	91-03-01	Shivalik Agro Chemicals, B-59, Phase VII Indl. Fodol Point Sas Nagar, Distt. Ropar (Pb.)	Phosphamidon 85% (a/n) WsO only	IS 06177 : 81	
72. 2264448	91-08-01	Omson Cable Industries 109/3 A, East Azar Nagar Delhi 110051	PVC Insulated Cables for Working Voltages Upto & including 1100 V, Sheathed and Unsheathed with Copper Conductor.	IS 00694 : 77	
73. 2264549	91-08-01	Navyug Appliances (India) B-52, Mayapuri Indl. Area Phase I New Delhi	Electric Irons, Thermostatic, 750 W, 230 V with Aluminium Alloy Sole Plate.	IS 00366 : 85	
74. 2264650	91-08-01	Uniplas India Ltd. (Unit 2) B-189, Phase II Noida Distt. Ghaziabad 201301	UPVC Pipes for Suction and Delivery lines of Agricultural Pumpsets of type 1W and 2W and Size 63 MM to 140 MM	IS 12231 : 87	
75. 2264751	91-08-01	ACMA Cable Industries Khasra No. 76 Village Ranchola PO Nangoli Delhi 110043	PVC Insulated Cables for Working Voltages upto & Including 1100 V, Sheathed and unsheathed with Aluminium and Copper Conductor	IS 00694 : 77	
76. 2264852	91-08-01	ACMA Cable Industries Khasra No. 76 Village Ranchola PO Nangloi Delhi 110043	PVC Insulated (Heavy Duty) Electric Cables for Working Voltages upto & Including 1100V Armoured and Unarmoured with Aluminium & Copper Conductor	IS 01554 : 88 Part : 01	
77. 2264953	91-08-01	Pyrosystems Pvt. Ltd. Type II-16 Vikram Sarabhai Instronic Estate Madras-600041	Electric Instantaneous water Heaters, 3 KW, : 1.5, Closed type class 2 with Non-Self Resetting Thermal Cut-out	IS 08978 : 85	
78. 2265046	91-08-01	K.V. Chemicals, D-156, TIC Area, MIDC, Thane-Belapur Road, Distt. Thane 400706	Flouro-Protein foam Concrete for producing mechanical foam for fire fighting.	IS 04989 : 87 Part : 03	
79. 2265147	91-08-01	Husali Metal Industries, F-112, Kartarpura Indl. Estate, Bais Godam, Jaipur-302006	Non-Pressure stores capillary Fed, Multiwick Type.	IS 02980 : 86	
80. 2265248	91-08-01	Siddharth Udyog, Gram Parsia, PO Sohratgarh, Distt. Siddhartha Nagar-272205	Concrete Pipes NP2 Class sizes 300 to 450 MM, 600 and 900 MM	IS 00458 : 71	
81. 2265349	91-08-01	Doors (India) Pvt. Ltd. Magarwara, Unnao (U.P.)	Wooden Flush Door Shutter (Solid Core type) type BN with Cross band and face veneers as Face Panels.	IS 02202 : 83 Part : 01	

1	2	3	4	5	6
82. 2265450	91-08-01	Crop Care Pesticides India Pvt. Ltd. 51.8 Km stone, G.T. Road, Kurur Ibrahimpur, Murthal. Distt. Sonapat (Haryana)	2, 4-D Ethyl ester 34% (m/m) EC formulation only.	IS 10243 : 82	
83. 2265551	91-08-01	K.V. Chemicals D-156, TTC area MIDC, Thane-Belapur Road, Distt. Shiravane, New Bombay 400706	Dry powder for fire fighting Ordinary Type.	IS 04308 : 82	
84. 2265652	91-07-16	Ruchi Soya Industries Ltd. (Vanapsati & Food Processing Unit), Village Talawali-Chanda, A.B. Road Indore 453771	Vanaspati	IS 10633 : 86	
85. 2265753	91-08-01	Nicco Steels Ltd. PO Athpur, Shamnagar, 24-Parganas (N)	Mild steel wire rod for General Engineering Purposes	IS 07887 : 75	
86. 2265854	91-08-01	NICLO Steels Ltd. PO Athpur, Shamnagar, 24-Parganas (N)	Mild steel for metal arc welding Electrode Core wire Wire Rods—Size upto 14 MM Dia Rimmins quality only	IS 02879 : 75	
87. 2265955	91-08-01	Rako Mercantile Traders. B-2, Indl. Estate Talkatora Lucknow 226011	Enamel interior, finishings Synthetic only	IS 00133 : 75	
88. 2266048	91-08-01	Rako Mercantile Traders, B-2, Indl. Estate Talkatora Lucknow 226011	Ready Mixed Paint, Air drying Red-Oxide-Zinc Chrome, Printing	IS 02074 : 79	
89. 2266149	91-08-01	Shri Anand Industries Bulandshahr Road Village Chhapraula, Distt. Ghaziabad.	Compoundeds feeds for cattle, type 2 only	IS 02052 : 79	
90. 2266250	91-08-01	Bhandari Cables & Conductors, 15.5 KM Belgaum, Venguria Road, RS 127 Shinoli Tal : Chandgad Distt. Kolhapur 416508	Aluminium Conductor, Galvaniz- ed steel Reinforced for Overhead Transmission Purposes	IS 00398 : 76 Part : 02	
91. 2266351	91-08-01	COLT Cables Pvt. Ltd. Village Sapoli & Savarsai, Khapoli Pen Road, Tal : PEN Distt. Raigad.	PVC Insulated (Heavy Duty) Electric cables, Armoured and Unarmoured with Aluminium conductor for unearthed system of Voltage grade 3.3/3.3	IS 01554 : 81 Part : 02	
92. 2266452	91-08-01	Anchor Electronics & Electricals A-2/481 to 483, Shah & Nahar Indl. Estate, Dhanraj Mill Compound Lower Panel Bombay-400013	6A 250 V, Single-Pole one way Flush type switches for Domestic and Similar Purposes.	IS 03354 : 88	
93. 2266553	91-08-01	Shilpa Re-Rollers Pvt. Ltd. Plot No. 2, 3, 4, Wanjra Layout, Kamptee Road Nagpur 540026	Weldable Structural Steel Grade Fe 410 WA	IS 02062 : 84	

1	2	3	4	5	6
94. 2266654	91-08-01	Ashoka Iron Foundry Automobiles & Agro Industries, Rohtak Road Charkhi Dadri Distt. Bhiwani (Haryana)	Sand cast iron spigot and Bocket Soil Waste and Ventilating Pipes, Fittings, and Accessories	IS 01729 : 79	
95. 2266755	91-08-01	Jainson Cables Near Galaxy Cinema Naroda Ahmedabad 382325	PVC Insulated (Heavy Duty) Electric cables for working voltages upto & Including 1100V Armoured and Unarmoured with Aluminium & Copper Conductor	IS 01554 : 76 Part : 01	
96. 2266856	91-08-01	Jainson Cables Near Galaxy Cinema Naroda Ahmedabad 382325	PVC Insulated Cables for working voltages upto & Including 1100 V, Unsheathed with Aluminium and Copper Conductor	IS 00694 : 77	
97. 2266957	91-08-01	Vishesh Ispat Pvt. Ltd. Near Gujarat Steel Tubes Kaligam Ahmedabad 382470	HSD Steel Bars, Fe 415, Sizes 8 mm to 32 mm	IS 01786 : 79	
98. 2267055	91-08-01	H.V. Industrial Electronics Pvt. Ltd. B-52/53, GIDC Electronics Estate, Sector 25 Gandhinagar (Gujarat) 382023	Switches for Domestic and Similar Purposes, 6A, 250 V Flush type, one way, two way and Bell push and one way	IS 03854 : 88	
99. 2267151	91-08-01	Amit Home Appliances, 3024/222, Chander Nagar Tri Nagar, Delhi 110035	LPG Stoves for Domestic use Ni/Cr and Stainless Steel body with CI Burners Tapered Construction.	IS 04246 : 84	
100. 2267252	91-08-01	Republic Engineers B-3, Jhil Mil Indl. Area, Shahdara, Delhi 110095	Wrought Aluminium Utensils (No-Stick Coated)	IS 01660 : 82 Part : 01	
101. 2267353	91-08-01	Sanvijay Re-Rolling & Engs. Works Pvt. Ltd., F-16, MIDC Hingna Road Nagpur 440016	Weldable Structural Steel, Grade Fe 410 WA	IS 02062 : 84	
102. 2267454	91-08-01	Sensu Electronics Pvt. Ltd. 374, Aji Indl. Area, Phase II Rajkot 360003	Three Phase Squirrel Case Induction Motors for Centifugal Pumps for Agricultural Application 2.2 KW and 3.7 KW with Class A Insulation, 4 PCLE, 415 V	IS 07533 : 75	
103. 2267555	91-08-01	Ideal Steel Rollers Pvt. Ltd. Agra Bombay Road, Rajendra Nagar, Indore (MP)	Structural Steel (Standard Quality)	IS 00226 : 75	
104. 2267656	91-08-01	Autobat Batteries Pvt. Ltd. Survey No. 96/1, N.H. No. 8 Dumral Village Road, Dumral (Gujarat) 387001	Lead Acid Storage Batteries for Motor Vehicles, 12V, 88 ph Capacity	IS 07372 : 74	
105. 2267757	91-08-01	Ceekay Electronics 63/A, GIDC Indl. Estate ODHAV Ahmedabad 382415	Starters for Fluorescent Lamps, Two pin Cannister and Glow type 20/40/80 W, 230/250 V	IS 02215 : 83	
106. 2267858	91-08-01	Bharat Electrical Accessories, D 2/7, Indl. Estate Angul Distt. Dhenkanal (Orissa) 759122	Aluminium Alloy Stranded Conductors (Aluminium-Magnesium Silicon Type) for Overhead Transmission	IS 00398 : 79 Part : 04	

SCHEDULE

107. 2267959	91-08-01	Apex Cables (P) Ltd. Village Mandour Naraingarh Road, Ambala City (Haryana)	PVC Insulated Cable for working Voltages upto & Includ- ings 100 V, unsheathed with Aluminium Conductors.	IS 00694 : 77
108. 2268052	91-08-01	Rockwell Devices (P) Ltd. Survey No. 849 Indl. Estate Medchal R.R. Distt. (AP)	Water Cooler	IS 01475 : 78

[No. CMD/13 : 11]

S. SUBRAHMANYAN, Addl. Director General

खान मंत्रालय

नई दिल्ली, 12 नवम्बर, 1991

का. आ. 3010 — केन्द्रीय सरकार, सारकारी स्थान (अप्राधिकृत अधिभोगियों की बंदखला) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के तत्कालीन इस्पात और खान मंत्रालय (खान विभाग) की दिनांक 22-9-1990 की अधिसूचना सं. 2493 में निम्नलिखित संशोधन करती है, अर्थात् मोसाबनी खान समूह के लिए कालम 1 (क) में निम्नलिखित प्रविष्टि शामिल की जाए —

“3 उप प्रबंधक (प्रशासन)

4 सहायक प्रबंधक (प्रशासन)”

“(ख) गउमंडार कामगारों के लिए” में निम्नलिखित प्रविष्टि शामिल की जाए —

“श्रमिक 2 नगर प्रशासक”

[सं 8 (1)/89 - धातु - III]

आर. चन्द्र मोहन, उप सचिव

MINISTRY OF MINES

New Delhi, the 12th November, 1991

S.O. 3010.—In exercise of the powers conferred by Section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby make the following amendments to the Notification S.O. No. 2493, dated 22-9-90 of the Government of India of the then Ministry of Steel and Mines (Department of Mines), namely Under Col. I-(A) for Mosaboni Group of Mines”, the following entry may be incorporated :—

“3. Deputy Manager (Admn.)

4. Assistant Manager (Admn.)”.

Under “(B) for Moubhandar Works”, the following entry may be incorporated :—

“Sl. No. 2 Town Administrator”.

[No. 8(1)/89-Met. III]

R. CHANDRAMOHAN, Dy. Secy.

इस्पात मंत्रालय

नई दिल्ली, 20 नवम्बर, 1991

का. आ. 3011 : — सरकारी स्थान (अप्राधिकृत अधिभोगियों की बंदखला) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और भारत सरकार के इस्पात और खान 3069 GI/91—6

मंत्रालय (इस्पात विभाग) की अधिसूचना संख्या का. आ. 4337 तारीख 11 नवम्बर 1983 का अधिक्रमण करते हुए केन्द्रीय सरकार नीचे दी गई सारणी के स्तम्भ (1) में वर्णित अधिकारी को, जो भारत सरकार के राजपत्रित अधिकारी के पद के समतुल्य अधिकारी है उक्त अधिनियम के प्रयोजनों के लिए सम्पदा अधिकारी नियुक्त करती है जो उक्त सारणी के स्तम्भ (2) में विनिर्दिष्ट सरकारी स्थानों के बारे में अपने अधिकारों की स्थानीय सीमाओं के अन्तर्गत उक्त अधिनियम द्वारा या उसके अधीन सम्पदा अधिकारियों को प्रदत्त शक्तियों का प्रयोग और अधिरोपित कृत्यों का पालन करेगा।

सारणी

अधिकारी का पदनाम

सरकारी स्थानों के प्रबंध और अधिकारिता की स्थानीय सीमाएं

प्रबंधक (प्रशासन) अथवा उप प्रबंधक (प्रशासन) कुद्रमुख आयरन और कम्पनी लि. के या उसके द्वारा पट्टे पर कपीनी सि. 11-ब्लाक कोरमंगला लिए गए या उसके द्वारा या बंगलौर-560034 (कर्नाटक राज्य) उसकी ओर से सम्पूर्ण भारत की सीमा में अधिग्रहित स्थान।

[संख्या 2 (8)/91-कुद्रमुख]

सशमी बेंकटावलम, उप सचिव

MINISTRY OF STEEL

New Delhi, the 20th November, 1991

S.O. 3011—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971) and in superession of the notification of Government of India in the Ministry of Steel and Mines (Department of Steel), No.S.O.4337, dated the 11th November, 1983, the Central Government hereby appoints the officer mentioned in column (1) of the Table below being an officer equivalent to the rank of a gazetted officer of Government of India, to be estate officer for the purposes of the said Act, who shall exercise the powers conferred, and perform the duties imposed on the estate officer by or under the said Act, within the local limits of his jurisdiction in respect of the public premises specified in column (2) of the said Table.

20/11/91
20/11/91

Table

Designation of the officer	Categories of public premises and local limits of jurisdiction
1	2
Manager (Administration) or Deputy Manager (Administration) Kudremukh Iron Ore Company Limited II Block, Koramangala, Bangalore-560 034 (Karnataka State)	Premises belonging to or taken on lease or requisitioned throughout the territory of India by or on behalf of Kudremukh Iron Ore Company Limited

[File No.2(8)/91-KDM]

LAKSHMI VENKATACHALAM, Dy. Secy.

नई दिल्ली, 2 दिसम्बर, 1991

का.प्रा. 3012:—केन्द्रीय सरकार पेट्रोलियम और खनिज पाइप लाइन (भूमि में उपयोग के अधिकार का अधिनियम, 1962 का 50) की धारा 2 के खंड (क) के अनुसरण में नीचे दी गई अनुसूची के स्तम्भ (1) में उल्लिखित व्यक्तियों को उक्त अनुसूची के स्तम्भ (2) में तत्संबंधी प्रविष्टि में विनिर्दिष्ट क्षेत्रों में उक्त अधिनियम के अधीन सक्षम प्राधिकारी के रूप में कार्य करने के लिए प्राधिकृत करती है।

अनुसूची

प्राधिकारी	क्षेत्रीय अधिकारिता
1. श्री सखा राम उप कलेक्टर, जिस्सा बस्तर, जगदलपुर मध्य प्रदेश	बस्तर प्रदेश राज्य में स्तर जिल्हे के दन्तेवारा और कोन्टा तालुक
2. श्री सुमान्त नाइक ओ. ए. एस. भूमि अधिर्जन अधिकारी कोरापुट, कलेक्टर उड़ीसा।	उड़ीसा राज्य में कोरापुट जिले का सकानगिरी तालुक।
3. श्री पी. सत्या राय विशेष उप कलेक्टर राष्ट्रीय राज्य मार्ग विभागा- पटनम आन्ध्र प्रदेश।	आन्ध्र प्रदेश राज्य में विशाखा-पटनम जिल्हे में चिन्तापल्लु नारसिपटनम च दायवस तालुका-पल्ली और विशाखापटनम तालुक

[मं. बी. एन.एस-12 (3)/91]

संक्षेप नोटियाल, संयुक्त सचिव

New Delhi, the 2nd December, 1991

S.O. 3012.—In pursuance of clause (a) of section 2 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby authorises the persons mentioned in column (1) of the Schedule below to perform the functions of the competent authority under the said Act in the area specified in the corresponding entry in column (2) of the said Schedule.

SCHEDULE

Authority	Territorial Jurisdiction
(1)	(2)
1. Mr. Sakha Ram, Deputy Collector, Bastar District, Jagdalpur, Madhya Pradesh.	Dantewara and Kontha Taluka of Bastar District in the State of Madhya Pradesh.

1)

(2)

- Mr. Susanta Naik, O.A.S., Malkangiri Taluk of Koraput I. and Acquisition District in the State of Orissa. Collect orate, Koraput, Orissa.
- Mr. P. Satya Rao, Special Deputy Collector, National Highways, Visakhapatnam, Andhra Pradesh Chintapalli, Narsipatnam, Chodavaram, Ankapalle and Visakhapatnam Taluks in Visakhapatnam District in the State of Andhra Pradesh.

[No. VNS-/12(3)/91]

SANTOSH NAUTIYAL, Jt. Secy.

कोयला मंत्रालय

गुडि-पत्र

नई दिल्ली, 31 अक्टूबर, 1991

का.प्रा. 3013:—भारत के साधारण राजपत्र दिनांक 22 जून 1991 के भाग II खंड-3 उपखंड-ii में पृष्ठ क्रमांक 2653-2655 पर प्रकाशित भारत सरकार के ऊर्जा मंत्रालय (कोयला विभाग) की अधिसूचना का.प्रा.सं. 1770 दिनांक 5 जून 1991 में पृष्ठ 2653 पर अधिसूचना में परिच्छेद नं. 3 में:—

(1) 1228.546 हेक्टर के स्थान पर 1228.564 पड़ें।

(2) परिच्छेद नं. 5 में—रेखांक स. सी-1 (2) एक.एफ.आर. के स्थान पर रेखांक स. सी-(2) III/ एक.एफ.आर. पड़ें।

पृष्ठ क्र. 2654 पर:—

ग्राम छतरपुर में अजित प्लाट मसंका में:—

(1) "187 से 195" के स्थान पर "187 से 194" पड़ें।

(2) 319/2, 320/2 के स्थान पर "319/2" पड़ें।

(3) "404 से 413 के स्थान पर "405 से 413" पड़ें।

(4) "481 से 521" के स्थान पर "481 से 529" पड़ें।

[का.सं. 43015/16/86-सी.ए/एल.एस.उत्प.]

बी.बी.राय अवर सचिव

विद्युत एवं अपारम्परिक ऊर्जा स्रोत मंत्रालय
(विद्युत विभाग)

नई दिल्ली, 10 जुलाई, 1991

का. प्रा. 3014.—भारतीय विद्युत अधिनियम, 1930 (1910 का 9) की धारा 36क की उपधारा 2(क) के अनुसरण में केन्द्रीय सरकार, केन्द्रीय विद्युत प्राधिकरण के अध्यक्ष श्री कृष्ण स्वरूप को श्री जनक कुमार भसीन के स्थान पर केन्द्रीय विद्युत बोर्ड का अध्यक्ष नामित करती है।

[संख्या 25(8)/90-डी (एस. ई. बी.)]

एम. एल. शर्मा, डेस्क अधिकारी

MINISTRY OF POWER AND NON-CONVENTIONAL ENERGY SOURCES

(Department of Power)

New Delhi, the 10th July, 1991

S.O. 3014.—In pursuance of Sub-section 2(a) of Section 36A of the Indian Electricity Act, 1910 (9 of 1910), the Central Government is pleased to nominate Shri Krishna Swarup, Chairman, Central Electricity Authority as Chairman of the Central Electricity Board vice Shri Janak Kumar Bhasin.

[No. 25/8/90-D (SEB)]

M.L. SHARMA, Desk Officer

दिल्ली विकास प्राधिकरण

सामंजसिक सूचना

नई दिल्ली, 29 नवम्बर, 1991

का.आ. 3015 :—केन्द्रीय सरकार का दिल्ली मुख्य योजना/क्षेत्रीय वित्तिय संजना में निम्नलिखित संशोधन करने का प्रस्ताव है जिसे एम्प्टेड द्वारा आम जनता को जानकारी के लिए प्रकाशित किया जाता है। प्रस्तावित संशोधन के संबंध में यदि किसी व्यक्ति को कोई आपत्ति या सुझाव देना हो तो वह अपनी आपत्ति या सुझाव लिखित रूप में सचिव दिल्ली विकास प्राधिकरण, विकास सदन, आई.एन.ए. "बी" ब्लॉक नई दिल्ली को इस नोटिस के जारी होने से तीन दिन की अवधि के अंदर भेज दे। आपत्ति करने या सुझाव देने वाले व्यक्ति को अपना नाम और पता भी देना चाहिए :

संशोधन :

"जोन डी-11 (सफरअग हवाई प्रदूषण और रेस्कोर्स क्षेत्र) में आने वाले लगभग 1.2 हेक्टेयर (3 एकड़) क्षेत्र, जो उत्तर में एयरफोर्स स्टाफ क्वार्टर (पंचशील मार्ग) पूर्व में विद्यमान कृषक नाना (रेस-कोर्स क्षेत्र) दक्षिण में समोर्जनतात्मक क्षेत्र और पश्चिम में क्षेत्र के भेदान तथा खुले स्थलों (विनय मार्ग) से घिरा हुआ है, का भूमि उपयोग पुलिस लाइन के अस्थायी निर्माण हेतु "समोर्जनतात्मक उपयोग" से "आवासीय उपयोग" में इस शर्त पर बदला जाना प्रस्तावित है कि दिल्ली पुलिस द्वारा इस स्थान को खाली करने और उचित स्थान पर स्थानांतरण के बाद इस भूमि उपयोग को "समोर्जनतात्मक उपयोग" में दोबारा बदल दिया जाएगा।"

- प्रस्तावित संशोधन को पेशाने वाला नक्शा निरीक्षण के लिए ऊपर निर्दिष्ट अवधि के अंदर सभी कार्य दिवसों में उप निदेशक कार्यालय मुख्य योजना अनुभाग, विकास मीनार, छठी मंजिल, आई.पी. एम्प्टेड नई दिल्ली में उपलब्ध रहेगा।

[सं. एक 16 (91)/77-एम.पी.]

रणवीर सिंह, सचिव

DELHI DEVELOPMENT AUTHORITY

PUBLIC NOTICE

New Delhi, the 29th November, 1991

S.O. 3015.—The following modification which the Central Government proposes to make to the Master Plan/Zonal Development Plan of Delhi, is hereby published for public information. Any person having any objection or suggestion with respect to the proposed modification may send the objection or suggestion in writing to the Secretary, Delhi Development Authority, Vikas Sadan, INA, 'B' Block, New Delhi within a period of thirty days from the date of issue of this notice. The persons making the objection or suggestion should also give his name and address :

MODIFICATION :

"The land use of an area measuring about 1.2 hect (3 acres) falling in zone D-14 (Safdarjung Aerodrome and Race Course Area) and surrounded by Air Force Staff Quarters (Panchsheel Marg) in the North, existing Kushak Nallah (Race Course Area) in the East recreational area in the South and play ground and open spaces (Vinay Marg) in the West, is proposed to be changed from the 'recreational use' to 'residential use' for temporary construction for location of a police line with the proviso that this use of the land would revert back to 'recreational use' after Delhi Police vacates the site and shift to an appropriate location".

2. The plan indicating the proposed modification will be available for inspection at the office of the Deputy Director, Master Plan Section, Vikas Minar, 6th floor, IP Estate, New Delhi, on all working days within the period referred to above.

[No. F. 16(19)/77-MP]

RANBIR SINGH, Secy.

नगर विमानन और पर्यटन मंत्रालय

नई दिल्ली, 19 नवम्बर, 1991

का.आ. 3016 :—लोक परिसर (अनधिकृत कच्चा बूटाना) अधिनियम 1971 की धारा 3 द्वारा प्रदत्त शक्तियों का उपयोग करने हुए केन्द्रीय सरकार एम्प्टेड द्वारा नीचे दी गई तालिका के कालम-1 में उल्लिखित अधिकारियों को जो केन्द्रीय सरकार के राजपत्रित अधिकारियों के सम-बुल्य है के उक्त अधिनियम के प्रयोजनों के लिए सम्पदा अधिकारियों के रूप में नियुक्त करती है। ये अधिकारी उक्त तालिका के कालम-2 में उल्लिखित अपने-अपने अधिकार क्षेत्र की सीमाओं में और कालम-3 में विनिर्दिष्ट लोक परिसरों के संबंध में उक्त अधिनियम में अथवा सम्पदा अधिकारियों को प्रदत्त शक्तियों का प्रयोग और कर्तव्यों का निर्वाह करेंगे :—

तालिका		
अधिनियम की धारा 3 के अधीन नियुक्त सम्पदा अधिकारी	सम्पदा अधिकारी के अधिकार क्षेत्र की प्रादेशिक सीमाएं	लोक परिसर की श्रेणी
1	2	3
मेन्टोर उप नियंत्रक, प्रधान कार्यालय, भारतीय होटल निगम, बम्बई।	महाराष्ट्र राज्य	वे सभी लोक परिसर जिनके मालिक पट्टेदार किरायेदार अथवा लाइसेंसधारक भारतीय होटल निगम है और वे सभी परिसर जिनकी भारतीय होटल निगम द्वारा और निगम की ओर से मांग की गई है।
मेन्टोर उप नियंत्रक, मेन्टोर होटल, दिल्ली एयरपोर्ट, दिल्ली।		
मेन्टोर उप नियंत्रक, मेन्टोर होटल, दिल्ली एयरपोर्ट, दिल्ली।		
मेन्टोर उप नियंत्रक, मेन्टोर होटल, दिल्ली एयरपोर्ट, दिल्ली।	संघ राज्य क्षेत्र दिल्ली	
मेन्टोर उप नियंत्रक, मेन्टोर होटल, दिल्ली एयरपोर्ट, दिल्ली।	जम्मू और कश्मीर राज्य	
मेन्टोर उप नियंत्रक, मेन्टोर होटल, दिल्ली एयरपोर्ट, दिल्ली।		

[फाइल संख्या एडी-13050/81/91-एम]

प्रकाश चन्द्र, अवर सचिव

MINISTRY OF CIVIL AVIATION & TOURISM

New Delhi, the 19th Nov, 1991

S.O. 3016.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act 1971, the Central Government hereby appoints the officers mentioned in Col. 1 of the table below, being officers equivalent to the Gazetted Officers of the Government of India, to be Estate Officers for the purpose of the said Act, who shall exercise the powers conferred and perform the duties imposed on the said Estate Officers by or in the Act within the limits of the respective jurisdiction mentioned in Col. No. 2 in respect of the Public Premises specified in Col. No. 3 of the said Table.

TABLE

Estate Officers appointed under Section 3 of the Act	Territorial Limits of jurisdiction of the Estate Officers	Categories of the Public Premises
1	2	3
Dy. Controller of Accounts HQ. Office, Hotel Corporation of India Bombay.	State of Maharashtra	All premises of which Hotel Corporation of India Ltd. is the owner, lessee tenant or licensee and all premises which are requisitioned for and on behalf of Hotel Corporation India Ltd.
Manager-Legal & Establishment, HQ Office, HCL, Bombay.		
General Manager, Centaur Hotel, Delhi Airport, Delhi.	Union territory Delhi.	
Dy. Controller of Accounts Centaur Hotel, Delhi Airport, Delhi.		
General Manager, Centaur Lake View Hotel, Srinagar.	State of Jammu & Kashmir	
Personnel Manager, Centaur Lake View Hotel Srinagar.		

[F. No. AV.18050/81/91-AA]

PARKASH CHANDRA, Under Secy.

श्रम मंत्रालय

नई दिल्ली, 11 नवम्बर, 1991

का. आ. 3017.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दामूआ कोलियरी आफ डब्ल्यू. सी. एल. के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निश्चित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-11-91 को प्राप्त हुआ था।

MINISTRY OF LABOUR

New Delhi, the 11th November, 1991

S.O. 3017.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Jabalpur as shown in the Annexure in

the industrial dispute between the employers in relation to the management of Damua Colliery of WC Ltd. and their workmen, which was received by the Central Government on 11-11-1991.

ANNEXURE

BEFORE SHRI V. N. SHUKLA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/LC(R)/(26)/1988

PARTIES :

Employers in relation to the management of Damua Colliery of W.C.L., Kanhan Area, District Chhindwara (M.P.)

AND

Their workman Shri D. N. Tripathi through the M.P. K.K.M.P. (HMS), P.O. Damua, District Chhindwara (M.P.).

APPEARANCES :

For workman—Workman himself.

For Management—Shri D. Mewar.

INDUSTRY : Coal Mining DISTRICT : Chhindwara (MP)

AWARD

Dated, the 25th October, 1991

This is a reference made by the Central Government, Ministry of Labour, vide its Notification No. 1-21012/90/87-D.III (B) dated 29-12-1987, for adjudication of the following dispute :—

“Whether the action of the management of Damua Colliery of Western Coalfields Ltd., Kanhan Area in awarding punishment of suspension from 3-9-83 to 13-12-83 to Shri D. N. Tripathi, Mining Sirdar is justified ? If not, what relief the workman is entitled to ?”

2. Both the parties filed their respective statement of claim and rejoinder. The case was fixed for filing documents and framing of issues.

3. On 23-10-1991 at Chhindwara parties appeared and gave the following statement before this Tribunal :—

“Parties agree that the suspension from 3-9-83 to 13-12-83 to Shri D. N. Tripathi shall not be treated as stigma on his service record, but by way of good gesture as an office bearer of Trade Union and in order to maintain harmony and good relation between the management and Union Shri D. N. Tripathi does not press his claim. No dispute award be passed.”

4. In view of the above statement of the parties I have no alternative but to record a No Dispute Award. No dispute Award is therefore recorded with no order as to costs.

V. N. SHUKLA, Presiding Officer

[No. 1-21012/90/87-D.III (B)]

का. आ. 3017.—औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दामूआ कोलियरी आफ डब्ल्यू. सी. एल. के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निश्चित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-11-91 को प्राप्त हुआ था।

S.O. 3018.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government

Industrial Tribunal, Jabalpur as shown in the Annexure in the industrial dispute between the employers in relation to the management of Damua Colliery of WCL and their workmen, which was received by the Central Government on 11-11-1991.

ANNEXURE

BEFORE SHRI V. N. SHUKLA, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/LC(R)(159)/1987

PARTIES :

Employers in relation to the management of Damua Colliery of W.C.L. P.O. Damua District Chhindwara (M.P.)

AND

Their workman, Shri Suleman S/o Joseph George, Timber Mazdoor, Damua Colliery, Ward No. 14, P.O. Junnardeo, District Chhindwara (M.P.)

APPEARANCES :

For Workman—Shri D. N. Tripathi.

For Management—Shri D. Mewar.

INDUSTRY : Coal Mining DISTRICT : Chhindwara (MP)

AWARD

Dated, the 25th October, 1991

This is a reference made by the Central Government, Ministry of Labour, vide its Notification No. L-21012/94/86-D.III (B) dated 24-8-1987, for adjudication of the following dispute :—

“Whether the action of the management of Damua Colliery of WCL, Kanhan Area, P.O. Damua, Distt. Chhindwara in dismissing Shri Suleman S/o Joseph George, Timber Mazdoor w.e.f. 12-5-85 is justified ? If not, what relief is the workman entitled to ?”

2. Both the parties filed their respective statement of claim and rejoinder. Thereafter issues were framed the case was fixed for evidence of parties.

3. Parties instead of adducing evidence arrive at the following compromise at Chhindwara on 23-10-1991 :—

“Workman will be reinstated within 30 days from today on the same post without any back wages, but continue in service and benefits arising therefrom. There will be no order as to costs.”

4. The above terms of compromise arrived at between the parties are just and fair. I therefore record my award in terms of compromise mutually arrived at between the parties. No order as to costs.

V. N. SHUKLA, Presiding Officer

[No. L-21012/94/86-D.III (B)]

का. आ. 3019.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार पेन्च एरिया आफ डब्ल्यू. सी. ली. के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबन्ध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-11-91 को प्राप्त हुआ था।

S.O. 3019.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Jabalpur as shown in the Annexure in the industrial dispute between the employers in relation to the management of Pench Area of WCL and their workmen, which was received by the Central Government on 11-11-91.

ANNEXURE

BEFORE SHRI V. N. SHUKLA, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-
CUM-LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/LC(R)(71)/1987

PARTIES :

Employers in relation to the management of Pench Area of W.C.L., Pench Area, P.O. Parasia, District Chhindwara (M.P.)

AND

Their workman Shri Prem Singh, Driver, represented through the B.K.K.M.S. (BMS), P.O. Chandametta, District Chhindwara (M.P.)

APPEARANCES :

For Workman—Shri S. S. Shakarwar Advocate.

For Management—Shri P. S. Nair, Advocate.

INDUSTRY : Coal Mining DISTRICT : Chhindwara (MP)

AWARD

Dated, the 31st October, 1991

This is a reference made by the Central Government, Ministry of Labour, vide its Notification No. L-21012/54/86-D.III (B) dated 27th May, 1987, for adjudication of the following dispute :—

“Whether the action of the management of Pench Area, WCL Parasia District Chhindwara in relation to Rawanwara Khas Colliery in terminating from service Shri Prem Singh, Driver w.e.f. 22-2-81 is justified ? If not, to what relief is the workman concerned entitled to ?”

2. Facts leading to this case are that Shri Prem Singh was employed as a Motor Driver in Rawanwara Khas Colliery of W.C. Ltd., Pench Area from 1-1-1966. It has not been denied by the management that he has a clean record. He was thereafter transferred to G.M. Office, Parasia in the year 1978. He was again retransferred to Pench East Sub-Area, Rawanwara Khas Colliery in the month of May 1979. His services were terminated with effect from 22-2-81.

3. Workman says that he proceeded to his native place in December 1980 on leave where he was implicated in a police case on account of domestic quarrel and could not resume his duties due to detention relating to which he informed the management, but his services were determined with effect from 22-2-81. He says that he was transferred back to Rawanwara Khas Colliery vide transfer Order dated 18-11-1980, but he was on the roll of Pench East Sub Area before the above transfer, though he was practically working as Ambulance Driver of Rawanwara Khas Colliery. His service condition is governed by the Standing Orders applicable to the employees of Rawanwara Khas Colliery where there is no provision for terminating the services of an employee for remaining absent for more than 30 days under Cl. 19, hence termination of his service under the said clause is illegal, unjust and amounts to retrenchment under Section 2(oo) of the I. D. Act. He is, therefore, entitled to be reinstated with full back wages and consequential benefits.

4. Management says that the workman, Shri Prem Singh, was transferred to Rawanwara Khas Colliery on 18-11-80, but he neither joined his place of duty at Pawanwara Khas Colliery nor did he send any intimation regarding his unauthorised absence from 1-12-80. Since the workman concerned did not report to duty to the Manager, Rawanwara Khas Colliery he remained on the roll of Pench East Sub-Area. Rawanwara Khas Sub-Area is governed by the Standing Orders applicable to Pench East Sub Area and the action was taken under Cl. 19 of the Standing Orders as mentioned above.

5. The Production Supdt./Agent had waited upto 21-2-81 and then vide his letter dated 21-2-81 intimated the workman that he has absented from duty with effect from 1-12-80

without information or permission but the workman did not submit his reply. He could have applied for leave or intimated the reasons for his absence to the Manager. He did not care to do so. There is heavy absenteeism in the industry causing serious difficulties. Hence his services were terminated without holding any enquiry. If the Tribunal feels that issuance of charge sheet and holding a departmental enquiry was necessary the management be permitted to lead evidence to prove the misconduct of the workman. Reference is, therefore, liable to be rejected.

6. Similar statements have been reiterated in their respective rejoinders.

7. Reference was the issue in this case.

8. No oral evidence was led by either party. Management has proved only three documents Ex. M/1 to Ex. M/3. Ex. M/1 is the letter dated 25th April 1979 according to which Shri Preen Singh, Driver, Pench East Sub-Area was transferred to Pench East Sub-Area Office. Ex. M/2 is registered A.O. letter dated 21-2-81 which shows that the workman absented for more than 30 days in contravention of Cl. 19 of the Standing Orders and accordingly his services stood automatically terminated as per Cl. 19 of the Standing Orders. Ex. M/3 is a letter dated 26/27-10-73 which shows that workman had tendered his resignation which was accepted. There is no pleading or evidence in record regarding tendering of resignation by the workman. There is nothing on record that the workman was relieved as per order Ex. M/1. There is no pleading to this effect. This fact has not been denied by the management that before his transfer the workman was on the roll of Pench East Sub-Area before the said order, but he was practically working as Ambulance Driver at Rawanwara Khas Colliery. It is also not denied by the management that Cl. 19 of the Standing Orders do not apply to the Rawanwara Khas Colliery.

9. Obviously, no show cause notice was issued to the workman but the fact remains that the workman has not proved that he had applied for leave or that he had informed the management about his remaining absent during the period of his absence. It has also not been established that even a show cause notice was issued to the workman concerned but the fact remains that the workman remained absent for more than 30 days. Workman has also not pleaded as to on what date he had joined. From the pleadings of the management it appears that the workman remained absent unauthorisedly from 1-12-80 (para 4 of statement). He did not join his place of duty at Rawanwara Khas nor did he send any information regarding his unauthorised absence from 1-12-80 and he was waited till 21-2-82. There is no specific denial to this pleadings of the management. On the other hand, workman has pleaded in his rejoinder that on sanctioned leave from 1-12-80 for 14 days he had gone to his native place where he was implicated in a police case and was detained (para 8). Workman has not justified his absence.

10. In the entire context of the case where the facts are patent it would not be necessary to adjudicate upon whether the departmental enquiry was necessary or not because from the record his unauthorised absence for more than 30 days has been established. The only fact which has to be considered is whether termination/action is justified.

11. Looking to the past good record of the workman from 1-1-1966 it is too harsh punishment. Thus the workman is entitled to be reinstated from the date he joins without any back wages but continuity in service and the period of his absence should be treated as dies non. This punishment of denial of back wages is sufficient enough to give a lesson to the absentees.

12. Reference is accordingly answered with no order as to costs.

V. N. SHUKLA, Presiding Officer
[No. L 21012/54/86-D.III (B)]

का. आ. 3020.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार दामुआ कोलियरी प्राफ उड्ड्यू. सी. एल. के

प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों के बीच अनुरोध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जबलपुर के पंचपट को प्रकाशित करती है जो केन्द्रीय सरकार को 11-11-91 को प्राप्त हुआ था।

S.O. 3020.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Jabalpur as shown in the Annexure in the industrial dispute between the employers in relation to the management of Damua Colliery of WCL and their workmen, which was received by the Central Government on 11-11-1991.

ANNEXURE

BEFORE SHRI V. N. SHUKLA, PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL—
CUM LABOUR COURT, JABALPUR (M.P.)

Case No. CGIT/LC(R)(202)/1987

PARTIES :

Employers in relation to the management of Damua Colliery of W.C. Ltd., P.O. Damua, District Chhindwara (M.P.)

AND

Their workman Shri Yusuf Khan S/o Babu Khan as Store Issuer represented through the General Secretary, M.P.K.K.M.P. (HMS), Damua P.O., Damua, District Chhindwara (M.P.)

APPEARANCES :

For Workman Workman in person.

For Management—Shri A. K. Shasi, Advocate.

AWARD

Dated, the 25th October, 1991

This is a reference made by the Central Government, Ministry of Labour, vide its Notification No. L-21012/59/87-D.III (B) dated 14-9-1987, for adjudication of the following dispute :—

“Whether the action of the Manager, Damua Colliery of W.C. Ltd. in denying confirmation/regularisation of Shri Yusuf Khan S/o Babu Khan as Store Issuer is fair and justified? If not, to what relief the workman is entitled?”

2. Parties filed their respective statement of claim and rejoinder Workman has also filed certain documents. Workman has also moved an application for production of certain documents by the management. The case was therefore fixed for production of documents and evidence of parties. But in the meanwhile good sense prevailed in parties and they arrived at a compromise on 23-10-1991 at Chhindwara. The terms of compromise are as under :

(1) Workman shall produce his matriculation certificate from the Board within two months from today with the management.

(2) The management shall consider his case for the post of Store Issue Clerk as soon as the first opportunity arises and in case his case is not taken up he may come up before this Tribunal for further direction in the matter.

3. The above terms of compromise appear to be just and fair and in the interest of the workman concerned. I therefore record my award in terms of compromise mutually arrived at between the parties and make no order as to costs.

V. N. SHUKLA, Presiding Officer
[No. L-21012/59/87-D.III (B)]

नई दिल्ली, 12 नवम्बर, 1991

का. आ. 3021.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्वय में, केन्द्रीय सरकार कुनूस्टोरीया कोलियरी आफ ई. सी. ली. के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, श्रुतबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, आसनसोल के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-11-91 को प्राप्त हुआ था।

New Delhi, the 12th November, 1991

S.O. 3021.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Asansol as shown in the Annexure to the industrial dispute between the employers in relation to the Kunustoria Colliery of E.C. Ltd. and their workmen, which was received by the Central Government on 12-11-91.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, ASANSOL

Reference No. 17/90

PRESENT :

Shri N. K. Saha, Presiding Officer.

PARTIES :

Employers in relation to the Management of Kunustoria Colliery of M/s. E.C. Ltd.

AND

Their Workman.

APPEARANCES :

For the Employers—Sri P. Banerjee, Advocate.

For the Workman—Sri M. Mukherjee, Advocate.

INDUSTRY : Coal STATE : West Bengal

Dated, the 29th October, 1991

AWARD

The Government of India in the Ministry of Labour, in exercise of the powers conferred on them by clause (d) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-22012(29)/90-IR (C-II) dated the 25th May, 1990.

SCHEDULE

"Whether the action of the Management of Kunustoria Colliery of M/s. Eastern Coalfields Ltd., in dismissing Sri Dilip Bouri, General Mazdoor w.e.f. 3-3-1988 is justified? If not, to what relief the workman concerned is entitled?"

2. The case of the union in brief is that the concerned workman workman Sri Dilip Bouri was General Mazdoor of Kunustoria Colliery under M/s. Eastern Coalfields Ltd. Due to his illness the concerned workman could not attend his duties from 8-6-87 to 12-1-88. He was served with a chargesheet on 13-1-88 for the said absence. The concerned workman submitted explanation stating the circumstances for which he could not attend his duty. But the management was not satisfied. A domestic enquiry was held against the concerned workman and on the result of the domestic enquiry he was dismissed from service w.e.f. 3-3-88.

3. Attempts of conciliation failed. The matter was sent to the Ministry of Labour and ultimately the Ministry of Labour has referred the dispute to this Tribunal for adjudication.

4. The management has filed written statement contending inter-alia that the concerned workman was absent for a considerable period without any information to the authority. He was served with a chargesheet and on the result of the domestic enquiry he was rightly dismissed from service. The casual approach of a workman cannot be tolerated in view of the greater interest of maintenance of industrial harmony. The punishment is quite proportionate with the charge.

5. The union challenged the validity of the domestic enquiry contending that it was not properly and fairly held. But ultimately the union did not pursue the point. On 13-9-91 it was submitted by the union that the domestic enquiry was properly and fairly held and this Tribunal also found the point in favour of the management.

6. So the fact remains that the workman was rightly found guilty for his unauthorised absence in the domestic enquiry and the result of the domestic enquiry stands. Now according to the provisions of Section 11-A of the Industrial Disputes Act this Tribunal is to see whether the punishment was proportionate with the offence committed by the workman.

7. Admittedly the concerned workman was absent from 8-6-87 to 12-1-88 without any intimation to the authority. The learned Lawyer for the management has urged before me that it has become the practice of some workmen to remain absent for considerable period without any intimation to the authority. He has urged before me that if such casual approach of a workman is encouraged it will be very difficult to maintain discipline and harmony in the industry. He submits that the punishment imposed in this case is quite proportionate with the offence committed by the workman.

8. In this case the workman could not produce any evidence to show that he was absent due to his illness. The learned Lawyer for the workman has urged before me that the Court as a man of prudence must accept the contention that for some unavoidable reasons and circumstances the workman could not attend his duty. I find logic in his contention. He has urged before me that considering the principles of natural justice and the principles of enquiry and good conscience the Tribunal must hold that the punishment imposed in this case is disproportionate with the offence committed by the workman.

The learned Lawyers of both the parties have cited before me a good number of cases in support of their respective submissions. Considering the nature of the present case and all the facts and circumstances, I am not inclined to enter into the intricate question of law. I find that the approach of the workman was casual and for that he must be penalised. But I find that dismissal from service for such unauthorised absence is not proportionate with the offence committed by the workman. The Hon'ble Supreme Court has held that capital punishment shall be imposed in a rare of the rarest cases. Dismissal from service in the present era is worse than capital punishment. So I find that dismissal in the present case as punishment cannot be sustained. I find that in the instant case if the entire back wages be forfeited as penalty that would be sufficient punishment for the workman.

9. In the result I find that the dismissal of Sri Dilip Bouri the concerned workman from service w.e.f. 3-3-88 is not justified. Sri Dilip Bouri shall be reinstated in service within three months from the date of publication of the award without any back wages. The entire back wages be forfeited as penalty for the unauthorised absence of the workman.

This is my award.

N. K. SAHA, Presiding Officer

[No. 1-2201(229)/IR (C. II)]

का. आ. 3022.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्वय में, केन्द्रीय सरकार राजूर कोलियरी आफ इन्ड्यू. सी. एल. के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, श्रुतबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार

औद्योगिक अधिकरण सं. 2, बम्बई के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-11-91 को प्राप्त हुआ था।

S.O. 3022.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 2, Bombay as shown in the Annexure in the Industrial Dispute between the employers in relation to the Rajur Colliery of W.C.L. and their workmen, which was received by the Central Government on the 11th November, 1991.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NO. 2, AT BOMBAY

PRESENT :

Shri P. D. Apshankar, Presiding Officer.

Reference No. CGIT-2/39 of 1991

PARTIES :

Employers in relation to the Management of Rajur Colliery of Western Coalfields Ltd., Wani Area.

AND

Their Workmen.

APPEARANCES :

For the Employer—Shri B. N. Prasad, Advocate.

For the Workmen—No appearance.

INDUSTRY : Coal Mining. STATE : Maharashtra.
Bombay, the 28th October, 1991

AWARD

The Central Government by their order No. L-22012/158/91-IR(C. II) dated 22nd July, 1991 have referred the following industrial dispute to this Tribunal for adjudication under section 10(1)(d) of the Industrial Disputes Act, 1947.

“Whether the termination/dismissal/struck-off names of Shri Yenkat Mallaya Basamwar Fitter Helper, Shri Bharat Mukunda Dhobi-Mason Helper, and Shri Gautam Bhagwan Patil Timber Mazdoor, by the management of Rajur Colliery of Western Coalfields Ltd., Wani Area, on different dates are legal and justified? If not, to what relief the workmen are entitled?”

2. Notices of this reference were issued to both the parties, and both the parties through their representatives appeared before this Tribunal. Thereafter, while this reference was at the stage of filing the statement of claim by the Union, the General Secretary of the Koyala Shramik Sangh, Wani Area, filed an application (Ex. 2) by post before this Tribunal that this Union wants to discuss the matter with the Industrial Relations Officer of the Management, and as such, the present reference be closed. The advocate for the management made the endorsement below that application that he had no objection for it. Therefore as the present reference is not being proceeded further with, it stands disposed off.

P. D. APSHANKAR, Presiding Officer
[No. L-22012/158/91-IR(C-II)]

का. या. 3023.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई. सी. एल. के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट

औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण आसनसोल के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-11-91 को प्राप्त हुआ था।

S.O. 3023.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Asansol as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of E.C. Ltd. and their workmen, which was received by the Central Government on the 12th November, 1991.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, ASANSOL

Reference No. 62/88

PRESENT :

Shri N. K. Saha, Presiding Officer.

PARTIES :

Employers in relation to the Management of Mines Rescue Station, Sitarampur of E.C. Ltd

AND

Their workman.

APPEARANCES:

For the Employers—Sri B. N. Lala, Advocate.

For the Workman—Sri C. D. Dwevedi, Advocate.

INDUSTRY : Coal. STATE : West Bengal.
Dated, the 29th October, 1991

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by Clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-24012(52)/88-D. IV(B) dated the 18th August, 1988.

SCHEDULE

“Whether the management of Mines Rescue Station, Sitarampur viz., the Chairman-cum Managing Director of M/s. E.C. Ltd., Sanctoria, Dishergarh, District Burdwan in deleting the name of Sri M. S. Roy, Night Guard from employment of the said establishment consequent upon take over w.e.f. 1st April, 1985 was justified? If not, to what relief the workman is entitled?”

2. During the pendency of the case today (29th October, 1991) Sri C. D. Dwevedi, learned Advocate for the workman submits that he has no instruction to proceed with the case. The concerned workman is also not present.

3. In view of the circumstances I have no other alternative but to pass a no dispute award in this case. Accordingly a no dispute award is passed.

N. K. SAHA, Presiding Officer
[No. L-24012/52/88-D.IV(B)]

का. या. 3024.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मादपुर कोलियरी आफ ई. सी. एल. के

प्रबन्धन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, आसनसोल के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-11-91 को प्राप्त हुआ था।

S.O. 3024.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Asansol as shown in the Annexure in the Industrial Dispute between the employers in relation to the Madhaipur Colliery of E.C. Ltd. and their workmen, which was received by the Central Government on the 8th November, 1991.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, ASANSOL

Reference No. 42/88

PRESENT:

Shri N. K. Saha, Presiding Officer.

PARTIES:

Employers in relation to the Management of Madhaipur Colliery of M/s. E.C. Ltd.

AND

Their workman.

APPEARANCES:

For the Employers—Sri P. K. Das, Advocate.

For the Workman—Sri C. D. Dwevedi, Advocate.

INDUSTRY : Coal. STATE : West Bengal.

Dated, the 29th October, 1991

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-24012(258)/87-D.IV(B) dated the 21st June, 1988.

SCHEDULE

"Whether the action of the Management of Madhaipur Colliery of M/s. E.C. Ltd., P.O. Kajoragram, District Burdwan (W.B.) in refusing employment to Smt. Firoja Begum alias Sabha Bibi, wife of late Nazir Ahmed, Boiler Fireman, is justified? If not, to what relief is the concerned workman entitled?"

2. Today (29th October, 1991) C. D. Dwevedi learned Advocate for the workman submits that he has no instruction to proceed with the case. The concerned worker is also not present.

3. In view of the circumstances I have no other alternative but to pass a no dispute award. Accordingly a no dispute award is passed in this case.

N. K. SAHA, Presiding Officer

[No. L-24012(258)/87-D.IV(B)]

RAJA LAL, Desk Officer

का. घा. 3025.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मैसर्स बी. सी. सी. एल. की ईस्ट कटरास कोलियरी के प्रबन्धन के संबंध नियोजकों

और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, (सं.-2), धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-11-91 को प्राप्त हुआ था।

S.O. 3025.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal (No. 2), Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation to the management of East Katras Colliery of M/s. BCCL and their workmen which was received by the Central Government on the 11th November, 1991.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

In the matter of an industrial dispute under Section 10(1)(d) of the I.D. Act, 1947

Reference No. 212 of 1987

PARTIES:

Employers in relation to the management of East Katras Colliery of M/s. Bharat Coking Coal Limited

AND

Their workmen.

APPEARANCES:

On behalf of the workmen—Shri I. D. Lall, Advocate.

On behalf of the employers—Shri B. Joshi, Advocate.

STATE : Bihar.

INDUSTRY : Coal.

Dated, Dhanbad, the 28th October, 1991

AWARD

The Government of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/44/87-D.III(A) dated, the 23rd July, 1987.

SCHEDULE

"Whether the demand of Bihar Colliery Kamgar Union that Shri Barhan Das, Surface Supervisor be designated as Supervisor in Technical and Supervisory Grade 'C' from November, 1983 is justified? If so, to what relief the workman is entitled?"

In this case both the parties appeared and filed their respective W.S. documents etc. Subsequently at the stage of oral evidence, both the parties appeared before me and filed a compromise petition under their signature. I heard both the parties on the said petition of compromise and do find that terms contained therein are fair, proper and beneficial to both of them. Accordingly, I accept the same and pass an Award in terms thereof which forms part of the Award as Annexure.

B. RAM, Presiding Officer

[No. L-20012/44/87-D.III(A)/IR (Coal-I)]

ANNEXURE

BEFORE THE PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2, DHANBAD

Reference Case No. 212/1987

PARTIES:

Employer in relation to the Management of East Katras Colliery of M/s. BCCL.

AND

Their workman.

COMPROMISE PETITION

The humble petition on behalf of the parties to the above reference most respectfully sheweth:—

1. That the employer's and the workman have jointly negotiated the matter covered by the aforesaid reference with a view to an arriving at an amicable and acceptable settlement.

2. That as a result of such mutual negotiations the employer and the workman have agreed to settle the matter covered by the aforesaid reference on the following terms:—

TERMS OF SETTLEMENT

- (a) That Shri Barhan Das Surface Incharge/Supervisor shall be given Clerical Grade-I, with effect from 1st January, 1988 and his pay accordingly be fixed in Clerical Grade-I from the date.

It is humbly prayed that the Hon'ble Tribunal will be graciously pleased to accept the settlement as fair and proper and be pleased to pass the award in terms of settlement.

And for this the employer and workman shall be duly bound ever pray.

Sd/-
(S. K. Bakshi)
Gen. Secy., BCKU

Sd/-
(Barhan Das)
President, BCKU, EKC

Sd/-
(G. Rai)
General Manager
Katras Project Area.

Sd/-
(S. Mukherjee)
Dy. CME, EKC.

Sd/-
(N. C. Sinha)
Personnel Manager,
Katras Project Area.

Sd/-

WITNESS :

- 1.
- 2.

नई दिल्ली, 15 नवम्बर, 1991

का. आ. 3026.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, मैसर्स टाटा आयरन एण्ड स्टील कं. लिमि. की मालकेरा कोलियरी के प्रबन्धन में संवद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, (सं. 2), धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-11-91 को प्राप्त हुआ था।

New Delhi, the 15th November, 1991

S.O. 3026.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal (No. 2), Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation to the management of Malkera Colliery of M/s. Tata Iron and Steel Co. Ltd. and their workmen, which was received by the Central Government on 11-11-1991.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

In the matter of an industrial dispute under Section 10(1)(d) of the I.D. Act, 1947

Reference No. 157 of 1987

PARTIES :

Employers in relation to the management of Malkera Colliery of M/s. Tata Iron & Steel, Co. Ltd.

AND

Their workman.

APPEARANCES :

On behalf of the workman—Shri S. Bose, Secretary, R.C.M.S., Dhanbad.
On behalf of the employers—Shri B. Joshi, Advocate.

STATE : Bihar.

INDUSTRY : Coal.

Dated, Dhanbad, the 31st October, 1991

AWARD

The Government of India, Ministry of Labour in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/42/87 D.III(A), dated, the 12th June, 1987.

SCHEDULE

"Whether the action of Tata Iron & Steel Co. Limited, Jamadoba, owner of Malkera Colliery in dismissing Shri Nasruddin Ansari, Ex-Haulage Engine Khalasi w.e.f. 1st October, 1983 is justified? If not, to what relief is the workman entitled?"

2. The concerned workman namely Shri Nasruddin Ansari was admittedly Haulage Engine Khalasi in Malkera colliery. He had secured employment as brother of Dukhan Mia Ex. Pump Khalasi, Malkera colliery but subsequently it was detected that he was not the brother of Shri Dukhan Mia, and he thus secured the employment by fraudulent means. Accordingly he was issued chargesheet (Ext. M-1) calling upon him to explain as to why an appropriate action should not be taken against him.

3. The concerned workman submitted his reply (Ext. M-2) denying the charges. It was stated that the charge did not disclose as to how the management had detected or who was the man to give information about the alleged misconduct. It was submitted that in absence of any source of information the concerned workman was seriously prejudiced in his defence. Shri Ansari lastly stated that he was the brother of Dukhan Mia and was employed as the brother of late Dukhan Mia. In this way he denied the charges. However, the explanation submitted by the concerned workman was found not satisfactory and it was decided to hold departmental enquiry into the misconduct into the charge sheet dated 7/9th June, 1983.

4. On the basis of the enquiry the Enquiry Officer found the concerned workman guilty of misconduct and submitted a report vide Ext. M-7. The Enquiry report was examined which was found to be satisfactory and accordingly there was an order for dismissal of the services of the concerned workman with effect from 1st October, 1983 vide Ext. M-8, Ext. M-9 is a letter of communication addressed to the concerned workman Haulage Engine Khalasi that he was dismissed from the company's services with effect from 1st October, 1983.

5. From the order sheet dated 18th October, 1991 it appears that the learned counsel for the workman conceded about the fairness and propriety of the domestic enquiry held in this case and accordingly the matter was heard on merit.

6. Now in the circumstances of the case the main question for consideration is whether the concerned workman committed an act of fraud and dishonesty as alleged in the chargesheet and whether there was material sufficient enough before the E.O. to hold the concerned workman guilty?

7. Both the parties filed their W.S. The concerned workman claimed himself as permanent employee of Malkera colliery of TISCO with effect from 1st August, 1973. He was initially a General Mazdoor and subsequently promoted in the year 1983 as Haulage Engine Khalasi. It was submitted that he was employed on the retirement of his brother Dukhan Mia Pump Khalasi of Malkera colliery. The said employment was given to the concerned workman on the recommendation of Dukhan Mia at the time of retirement of Shri Dukhan

Mia in the year 1973. The concerned workman served the department for a period about 10 years on the basis of his being the brother of Dukhan Mia and during this long period the question of his genuineness or otherwise was never challenged. The management all of a sudden with any rhyme or reason issued so-called notice stating that he was not the brother of Dukhan Mia and he got employment by fraudulent means. It has been prayed that the action of the management in dismissing Shri Nasruddin Ansari was not justified and the concerned workman should be reinstated in his job of Haulage Engine Khalasi with full back wages.

8. Admittedly the concerned workman was employed as General Mazdoor on 1st August, 1973 at Malkera colliery and he started working as Haulage Engine Khalasi since 1983 when the cause of action arose. The management submitted that as per the procedure prevailing at the relevant time, an employee who has put in 15 years of service or more was allowed to enrol the name of his dependant in the Employees Dependant Register for the purpose of being considered for employment on the strength of his service along with others in order of seniority. The dependant must be the own brother, son of the own son-in-law of the employee.

9. The management further stated that the concerned workman had got his name enrolled as brother of Dukhan Mia ex-Pump Khalasi but subsequently it was detected that he was not the brother of Dukhan Mia and thus he secured employment by fraudulent means. Accordingly he was issued chargesheet. The reply of the chargesheet was not found satisfactory and accordingly he was dismissed after due enquiry with effect from 1st October, 1983.

10. The dismissal matter of the concerned workman was also taken up by the recognised union of the management namely R.C.M.S. and at the instance of the union it was decided to verify the relationship with the help of Police department. There was abnormal delay in Police report and accordingly two officers of the management enquired into the matter with the assistance of the Police department. They visited the native village of Dukhan Mia and from the enquiries it was established that Shri Ansari was not the brother of Shri Dukhan Mia. In this way it has been prayed that the action of the management is justified and the concerned workman is not entitled to any relief.

11. The main charge against the concerned workman was that he secured employment in Malkera Colliery by fraudulent means. He got employed as brother of Dukhan Mia but subsequently it was detected that he was not the brother of Dukhan Mia. The chargesheet as well as the W.S. state that subsequently it was detected that the concerned workman was not the brother of Dukhan Mia. It was seriously canvassed at the bar as to what were the source for detection? Who told that the concerned workman was not the brother of Dukhan Mia? The question is as to how it as brought to the notice of the management and what were the source for information? All these things have not been disclosed either in the W.S. of the management or the evidence of the witness for the management in the domestic enquiry. Shri C. K. Jha as the representative of the management stated that he came through the reliable sources that the concerned workman was not the brother of Dukhan Mia but what was that reliable source has not been disclosed throughout the whole enquiry. It was rightly contended by the learned counsel for the workman that due to non-disclosure of the course of information the concerned workman was seriously prejudiced in his defence. A very pertinent question was put to Shri C. K. Jha in his cross-examination as to whether he could tell the name of the person giving information that the concerned workman was not the brother of Dukhan Mia? The witness replied that he did not remember the name of that person. From the answer it has established that somebody had told that the concerned workman was not the brother of Dukhan Mia. In the circumstances it was necessary on the part of the management to examine that person in this Court just to test his veracity.

12. Shri C. K. Jha on the basis of so-called reliable sources had come down to Malkera Colliery on 4-5-83 and recorded

the statement of the concerned workman by way of preliminary enquiry. Shri Jha stated that the concerned workman stated in the preliminary enquiry that he was the brother of late Dukhan Mia who died on 4-7-80 and he got employment on the strength of the services of Dukhan Mia. The witness further stated that after the statement of the concerned workman was recorded and his signature was obtained on the statement he enquired from Shri Ansari, the concerned workman about the real relationship with Shri Dukhan Mia. The witness further stated which may be reproduced as follows :

"However, since I enquired after the enquiry regarding his relationship with late Dukhan Mia he would state the correct relationship. Thereafter, he stated that he is not own brother of late Dukhan Mia. Shri S. C. Saxena, Welfare Officer, Malkera Colliery was also present when Shri Nasruddin Ansari said that he is not own brother of late Dukhan Mia."

13. From the evidence of this witness it is clear that he had asked the concerned workman about his relationship with Dukhan Mia after the said preliminary enquiry was over. Here the question arises as to what the legal sanctity of latter statement which was not reduced into writing nor it was signed by the concerned workman. The statement of Shri Ansari as recorded on 4-5-83 was produced during the domestic enquiry. I have gone through that statement and Shri Ansari never stated that he was not the brother of Dukhan Mia. It may be noted that Shri C. K. Jha held the enquiry and anything stated beyond the enquiry can in no case be considered for it has got no legal sanctity in the eye of law.

14. One Shri S. C. Saxena was also examined on behalf of the management before the Enquiry Officer and he stated that Shri Jha after the enquiry was over had asked the concerned workman about his relationship and that the concerned workman had stated that he was not the own brother of Dukhan Mia. But for the reasons stated above that cannot be taken into account.

15. The learned counsel for the management while arguing out the case submitted that the statement of the concerned workman was an admission or extra judicial confession. "Admission" has been defined under Section 17 of the Evidence Act which is statement oral or documentary. But as stated above it was not at all any statement rather it was something in the nature of mutual talk between the concerned workman and the Enquiry Officer. Extra judicial confessions are those which are made by the parties elsewhere than before a Magistrate or in the Court. Definitely the alleged statement was made before the Enquiry Officer but it was not reduced into writing nor it was signed by the concerned workman. The expression "Confession" has not been defined in the Evidence Act but Stephen in his digest of law of evidence defined it as follows :

"A confession is an admission made at any time by a person charged with crime stating or suggesting the inference that he committed a crime."

From the definition it is clear that the confession must be an admission and that means a statement either oral or documentary. It has already been stated that there is nothing like statement when the concerned workman stated that he was not the brother of Dukhan Mia. Apart from that in order to make confession relevant it must be shown that it was voluntary. In this case there was no question of any voluntary statement. It was the enquiry officer who after enquiry was over had asked the concerned workman about the real relationship. Actually he had no business to ask it and if asked at all that cannot be treated as part of enquiry. In other words inference would be that the workman concerned was induced to state like that. From the facts noted above I am to hold that the so-called statement by the concerned workman after an enquiry was neither admission nor extra judicial confession. The concerned workman in his statement in domestic enquiry has denied to have told during preliminary enquiry that he was not the brother of Dukhan Mia.

16. Much reliance was placed upon Ext. M-10 and Ext. M-11 as per para 16 of the W.S. of the management it was stated that two officers of the management with the assistance of Police department had made on the spot enquiry and it was established that Shri Ansari was not the brother of late Dukhan Mia. Ext. M-10 dated 29-5-84 is that verification report. The report shows that the officer holding spot enquiry had taken the help of Police and went to village Pratappur. It may be noted here that the concerned workman was a resident of village Pratappur. The Enquiry Officer had enquired from a number of villagers namely Shri Inderjit Roy, brother of Shri Kedar Roy, ex-Mukhiya of the panchayat and also from Shri Khushi Mia, and they all told that there was none named Dukhan Mia son of Shova Mia in village Pratappur. While the enquiry officer were at Jamua an old man approached them and disclosed his name as Rozen Mia and son of Shova Mia and told that Nasiruddin Ansari and Dukhan Mia were his own brother. Again The Enquiry Officer went to Aduadih Tola along with Rozen Mia and there he enquired from Shri Pokhen Mia cousin of Rozen Mia. Pokhen Mia stated that the name of his father was Shri Sona Mia who had three brothers namely Shri Seba Mia, Sobha Mia and Nanku Mia. He further stated that Shova Mia had three sons namely Rozen Mia, Dukhan Mia and Sukar Mia. In this way Pokhen Mia the own cousin of Rozen Mia denied that Nasiruddin Ansari was own brother of Dukhan Mia. According to him one Sukar Mia was the third son of Sova Mia. In this connection I may refer to Ext. M-11 which is a claim petition filed by Rozen Mia and it is dated 6-2-81. He had filed that petition addressing the General Manager, Malkera Colliery for payment of certain dues after the death of his brother Dukhan Mia who died issueless. There in the petition Rozen Mia stated that Sova Mia of village Aduadih had three sons namely Rozen Mia, Dukhan Mia and Hanif Mia. In this way according to Rozen Mia was his third brother Hanif Mia and not Sukar Mia as stated by Pokhen Mia. There is no evidence that Hanif Mia was the alias name of Sukar Mia and in this way we find a sharp contradiction in the name of third brother of Dukhan Mia. In this way I do not think these two documents namely Ext. M-10 and M-11 can be of any help to the management. The statement of Pukhen Mia was also recorded at the time of spot enquiry and he had stated that Rozen Mia Dukhan Mia and Sukar Mia were three brothers.

17. I have examined the evidence both oral, and documentary brought on the record and on the basis of my discussion made above I am to hold that the management has not been able to prove the charge against the concerned workman. On the other hand the concerned workman has filed one affidavit duly sworn by Rozen Mia dated 7-6-83 (Ext. W-1). Dependent the Rozen Mia was aged about 70 years. He affirmed on oath that Nasiruddin and Dukhan Mia were his brothers. Since the affidavit was sworn in the year 1983 there can be no reason to disbelieve its contents. It may be remembered that Nasiruddin Ansari had secured his employer in the year 1983. In this way while giving employment the affidavit was also considered by the management. At the time of employment the concerned workman had also filed a certificate duly granted by Mukhiya of the Grampanchayat and it is dated 13-6-83. It was certified that Shri Dukhan Mia the real brother of Nasiruddin Ansari was died. Apart from that the concerned workman served the department for about 10 years which is definitely a long period and after 10 years of service he was dismissed from the employment of the management on the ground of which the management has miserably failed to substantiate.

In the result, I hold that the action of the Tata Iron and Steel Co. Limited, Jamadoba, owner of Malkera Colliery in dismissing Shri Nasiruddin Ansari, Ex-Haulage Engine Khalasi w.e.f. 1-10-83 is not justified. Consequently, the concerned workman is entitled to be reinstated in his original job with full back wages w.e.f. from 1-10-83. The management is therefore directed to reinstate the concerned workman in his original job with payment of full back wages and other consequential benefits with effect from 1-10-83 within one month from the date of publication of the Award.

This is my Award.

B. RAM, Presiding Officer

[No. L-20012/42/87-D.III (A)/IR (Coal-I)]

का. आ. 3027.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्तर्गत में, केन्द्रीय सरकार, मैसर्स बी. सी. सी. एल. की मुरीडीह कोलियरी के प्रबन्धन में संबंधित नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में कन्द्रीय सरकार औद्योगिक अधिकरण, (सं.-1), धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-11-91 को प्राप्त हुआ था ।

S.O. 3027.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal (No. 1), Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation to the management of Muraidih Colliery of M/s. B.C.C.L. and their workmen, which was received by the Central Government on 11-11-1991.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference under Section 10(1)(d) of the Industrial Disputes Act, 1947

Reference No. 40 of 1984

PARTIES :

Employers in relation to the management of Muraidih Colliery of M/s. B.C.C. Ltd.

AND

Their Workmen.

PRESENT :

Shri S. K. Mitra, Presiding Officer.

APPEARANCES :

For the Employers—Shri R. S. Murthy, Advocate, Colliery Mazdoor Sangh.

For the Workmen—Shri S. Bose, Secretary, Rashtriya

STATE : Bihar

INDUSTRY : Coal

Dated, the 29th October, 1991

AWARD

By Order No. L-20012(99)/84-D.III (A), dated, the 7th July, 1984, the Central Government in the Ministry of Labour, has, in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the demand of Rashtriya Colliery Mazdoor Sangh that Shri Baidya Nath Sah, Pump Operator of Muraidih Colliery of Messrs Bharat Coking Coal Limited should be regularised as time-keeper with difference of wages due to him as time-keeper for the period he had worked as time-keeper from 6-2-1979 to 18-12-1979 is justified? If so, to what relief is this workman entitled?"

2. The case of the concerned workman as appearing from the written statement submitted on his behalf by the sponsoring union, Rashtriya Colliery Mazdoor Sangh, details apart, is as follows :

Baidya Nath Shah is a permanent employee of the management of Muraidih Colliery of M/s. B.C.C.L.

He got employment in former Khas-Sinidih Colliery for two years immediately before take over of Khas-Sinidih Colliery by the Central Government with effect from 31-1-1973 as Pump Operator. The management, after take over, regularised a large number of workers of the taken-over mines and in the process the management declared the concerned workman as regularised with effect from 31-1-1973 in the post of Pump Khalasi. Khas-Sinidih Colliery was merged with Muraidih Colliery in Area No. I (Bhowra) sometime after 1-5-1973 under the ownership, management and control of M/s. B.C.C. Ltd. and the concerned workman continued to work as Pump Khalasi in the new set up of M/s. B.C.C. Ltd. By Office Order dated 6-2-79 issued under the signature of the Superintendent, Muraidih Colliery, the concerned workman was directed to take up duties of time keeper in a permanent vacancy caused by transfer of Shri O. P. Ghai from Muraidih Colliery to Motor Vehicle Department/Section of the management. The concerned workman started performing his duty as time keeper with effect from 6-2-79 and continued in that capacity till 18-12-79 when he was sent back to work as Pump Operator without assigning any reason for the change. He performed the duties as time keeper for more than six months continuously in permanent vacancy and according to the conditions of service applicable to him he had become permanent time keeper. His subsequent posting as Pump Operator by the management is out and out arbitrary, illegal and is an act of discrimination. Immediately after the order of transfer from the job of time keeper to the job of Pump Operator he made representation before the Colliery Manager who in his turn wrote to the Personnel Manager, Barora Area, recommending his claim for retention in the post of time-keeper by letter dated 22-1-80. The Personnel Manager, Barora Area replied to the Colliery Manager, Barora Colliery by letter dated 30-12-80 for his regularisation in the post of time keeper and placement in Clerical Gr. II and also for payment of difference of wages between the rates of pump operator and time-keeper for the earlier period he worked in the post of time-keeper from 6-2-79 to 18-12-79. Despite this accepted position and reasonable claim of the workman for his posting in Clerical Grade-II, the management kept the matter pending causing loss to him. In the circumstances, the union has prayed that the concerned workman be regularised as time-keeper from 6-2-1979 and for fixation of his pay accordingly.

3. The case of the management of Barora Area No. I of M/s. B.C.C. Ltd., as appearing in the written statement, bereft of details, is as follows :

The present industrial dispute is not maintainable as it does not constitute an industrial dispute within the meaning of Section 2(k) of the Industrial Disputes Act. The sponsoring union, Rashtriya Colliery Mazdoor Sangh, raised the dispute before the Asst. Labour Commissioner (Central), Dhanbad, by letter dated 31-10-83. The contention of the union was that the workman concerned, a Pump Khalasi, was directed by the management of Muraidih Colliery Office by a letter dated 6-2-79 to perform the duties of time-keeper of dozers and that he worked in that capacity till 18-12-79 and so he was entitled to be regularised in time-keeper in Clerical Grade-II. The management disputed the contention of the union and contended that there was no post of time-keeper on dozers and that if at all, having regard to the facts and circumstances of the case the workman concerned would at best claim difference of wages applicable to the post of Munshi in Clerical Grade-III and that of Pump Khalasi. In substance, the case of the management was that the workman concerned could not be considered for regularisation as time-keeper in Clerical Grade-II. He was put back on his original post of Pump Khalasi way back on 19-12-79 and it was only after the expiry of a period of about four years that

the sponsoring union has raised the present industrial dispute. The fact is that O. P. Ghai, the regular attendance clerk in Clerical Grade was transferred from Khas Sinidih Section to Muraidih Colliery to the Motor Vehicle Section for distribution of petrol, diesel etc. to assist M. M. Chatterjee from 6-2-79 and the workman concerned was asked to work as time-keeper for dozer from 6-2-79. It was expressly and clearly stated that the arrangement was purely of a temporary nature. The Superintendent of Muraidih Colliery was, in fact, not competent to make such arrangement and in fact there is no post of time-keeper for dozer. The arrangement was discontinued from 18-12-79 and it was in existence for a temporary period of about 10 months only. In the Coal Mines the persons who are generally known as time-keeper are designated as Register-keepers and Attendance Clerks. They are placed in Clerical Grade-II. Regulation 57 of the Coal Mines Regulations lays down the duties to be performed by this category of workmen. The concerned workmen never discharged any such duties at any time. Regard being had to the demand of the concerned workman, it is manifest that there is no basis for his claiming the post of time-keeper in Clerical Grade-II. The management also does not require time-keeper and there is no post or vacancy against which the concerned workman can be appointed or absorbed. In the case of the clerical/ministerial employees promotion rules were framed way back in 1977. The said promotion rules expressly provided that Clerks Grade-III would be entitled to be considered for promotion to the post of Clerk Grade-II subject to fulfillment for some specific conditions. The said promotion rules have since been replaced by the promotion rules laid down by the Joint Bipartite Committee for the Coal Industry. These promotion rules provide for Clerical Grade-III being considered for promotion to the post of Clerk Grade-II. Under both these sets of promotion rules there is absolutely no scope for inducting a pump khalasi into clerical cadre. In the context of the facts and circumstances of the case, the claim of the union for regularisation of the concerned workman as time-keeper in Clerical Grade-II is totally unjustified.

4. In rejoinder to the written statement of the sponsoring union, the management has reiterated the same fact as recited in its written statement denying and disputing the claim of the concerned workman. In addition, the management has further stated that the Superintendent of Muraidih Colliery made a grave mistake by stating that the concerned workman would be required to perform the duties of time-keeper and that too in connection with the working of a dozer. As a matter of fact dozer does not require a time-keeper. According to the management the officers concerned did not realise or appreciate the duties and responsibilities of the post of time keeper and the competent authority did not approve of the same. The concerned workman is not entitled to be regularised as time-keeper in Clerical Grade-II.

5. The sponsoring union, at the time of hearing, examined the concerned workman as VW-1 and laid in evidence some items of documents which have been marked Exts. W-1 to W-3.

On the other hand, the management, in order to controvert the claim of the concerned workman, has examined one witness, MW-1 Kalipada Rewani and laid in evidence some items of documents which have been marked Exts. M-1 to M-3.

6. According to the sponsoring union, the concerned workman was in the service of former Khas-Sinidih Colliery for two years immediately before the take over of the said Colliery by the Central Government with effect from 31-1-73 as Pump Operator. The management has admitted that he was working in Khas-Sinidih Colliery prior to nationalisation with effect from 1-5-1973. The concerned workman has stated that he was in the employment of the Colliery from before, but from 31-1-73 his employment has been recorded. The Identity Card issued by the management of

Muraidih Colliery on 1-4-75 discloses that the concerned workman was in employment of the Colliery as Pump Khalasi since 31-1-73 (Ext. W-1). This being so, the conclusion is reached that the concerned workman was working as Pump Khalasi in Khas-Sinidih Colliery atleast from 31-1-73.

It has been disclosed in the written statement of the sponsoring union that Khas-Sinidih Colliery was merged with Muraidih Colliery within Area No. 1 (Barora) sometime after 1-3-73 under the ownership, management and control of M/s. B.C.C.L. The concerned workman continued to work as Pump Operator in the new set up of M/s. B.C.C.L. This statement of fact has not been disputed by the management. Admittedly, Pump Khalasis have been re-designated as Pump Operators. Hence, I come to the conclusion that the concerned workman has been working in Muraidih Colliery in Area No. 1 (Bhowra) of M/s. B.C.C. Ltd. as Pump Operator atleast from 31-1-73.

7. According to the case of the sponsoring union, by an Office Order dated 6-2-79 issued under the signature of Superintendent of Muraidih Colliery, the concerned workman was directed to take up the duties of time-keeper in permanent vacancy caused by the transfer of O. P. Ghai from Muraidih Colliery to Motor Vehicle Department/Section of the said Colliery of the management and that the concerned workman started performing duties as time-keeper from 6-2-79 and continued in that capacity till 18-12-79. The contention of the management is that the concerned workman was asked to work as time-keeper for dozer from 6-2-79 and the arrangement was purely of a temporary nature and that the Superintendent of Muraidih Colliery was not competent to make such arrangement and in fact, there was no post of time-keeper for dozer. The Office Order issued by the Superintendent of Muraidih Colliery dated 6-2-79 has been marked as Ext. W-4 which corresponds to Ext. M-1. This Office Order discloses that the concerned workman, pump khalasi of Khas-Sinidih Section was directed to work as time-keeper for dozer from 6-2-79 and that the arrangement was purely of temporary nature. It appears that by letter dated 22-1-80 the Manager of Muraidih Colliery reported to the Personnel Manager, Barora Area that the concerned workman, pump khalasi of Khas-Sinidih Section worked as time-keeper from 6-2-79 to 18-12-79 and that his performance was satisfactory and his case might be considered for promotion (Ext. W-2). By letter dated 30-1-80/2-2-80 (Ext. W-3) the Personnel Manager of Barora Area mentioned deployment of the concerned workman as time-keeper from 6-2-79 to 18-12-79 as referred to in the letter of the Manager aforesaid and stated that since the concerned workman had worked on the job for more than 240 days and so he might be regularised as time-keeper in Clerical Grade-II with immediate effect. The Personnel Manager also noted that the concerned workman was not paid difference of wages and recommended for payment to him difference of wages as per policy of the company envisaging payment of difference of wages for performing the job of higher post. These two documents Exts. W-2 and W-3 firmly establish the position that the concerned workman performed the job of time-keeper from 6-2-79 to 18-12-79.

Shri R. S. Murthy, learned Advocate for the management has contended that these letters are manufactured documents. But this plea has not been taken by the management in rejoinder to the written statement of the sponsoring union. Moreover, MW-1 Kalipada Rawani has not denied and disputed the authenticity of these two letters. As a matter of fact, he has admitted that the letter Ext. W-2 was issued under the signature of Sri Arjun Singh, Manager of Muraidih Colliery in 1980 and that Personnel Manager of the Area gave reply to the letter of Arjun Singh by his letter dated 30-1-80/2-2-80 (Ext. W-3). This being the position, there is absolutely no reason to believe that these letters are manufactured documents.

These letters Exts. W-2 and W-3 firmly establish the position, as I have pointed out before, that the concerned workman worked as time-keeper in Muraidih Colliery from 6-2-79 to 18-12-79. The concerned workman has also stated that he performed the duties of time-keeper and asserted that he can perform the duties of attendance clerk and time-keeper very well and that the management did not find any

fault in his performance of work as time-keeper or attendance clerk. That his performance was satisfactory is also evident from the letter of the Manager of Muraidih Colliery dated 22-1-80 (Ext. W-2).

8. Admittedly, pump operators are daily rated workmen placed in Category-II or III according to the capacity of pumps they are required to handle. Time-keeper and attendance Clerks are monthly rated workmen placed in Grade-II. There is no job description for time-keeper or attendance clerks under Coal Wage Board Recommendation or in the Nomenclature, Job Description and Categorisation of Coal Employees issued by the Joint Bipartite Committee for the Coal Industry.

According to WW-1 the concerned workman, the attendance clerks and time-keeper are required to record the attendance of the workmen working in the Colliery in the three shifts. According to MW-1 Kalipada Rawani the duties of time-keepers are to allot duties to watermen, sweepers, supervisors working in Bhowras, and he (time-keeper) is also required to collect the attendance of workmen from different attendance clerks and to prepare consolidated statement of attendance of workmen for preparation of wage bills. According to him, the concerned workman has never performed the job of time-keeper as enumerated above.

The management has not produced any internal documents to underline the job description of time-keeper and attendance clerk. Shri R. S. Murthy, Advocate for the management has submitted that Regulation 57 of the Coal Mines Regulations 1957 envisages the duties of Register Keepers and Attendance Clerks. It appears that the designation of Register Clerk in Grade-II has been abolished and replaced by Register Keeper also in Grade-II as per Wage Board Recommendations. Regulation 57 provides as follows :

"Duties of register keepers and attendance clerk etc.—

(1) Every person appointed to keep register or other records required to be kept by or under the Act or under these regulations, or orders made thereunder, or to make entries therein, shall make the necessary entries in ink and with reasonable despatch.

(2) During the whole time that persons are at work, the attendance clerk shall remain on duty at the attendance cabin which shall be provided near the work place, or in case of workings below ground, near the outlet used by the work persons to enter and leave such workings.

(3) No person who is not an employee of the mine or is not entitled to enter the mine under the Act or under the regulations, or orders made thereunder, or is not so authorised by the manager, shall enter the mine. It shall be the duty of the attendance clerk to see that no such person enters the mine and if any such person forcibly enters the mine, the attendance clerk shall immediately report the matter in writing to the manager.

(4) If after the commencement of a shift any official or a competent person has not got his attendance recorded in the register maintained under section 48(4) of the Act, the attendance clerk concerned shall, within two hours after the commencement of the shift, report the fact in writing to the manager or the under manager or assistant manager or other official incharge of the shift."

This regulation only underlines as to how Register-keeper is to keep register and other records and how long the Attendance Clerk shall remain on duty at the attendance cabin and his duty to see that no person who is not an employee of the mine enters the mine and to report it immediately to the Manager, if such occasion arises. The Regulation also envisages the duties of Attendance Clerk in the event of any official or a competent person not recording his attendance. As a matter of fact, this regulation does not give specific details of duties of attendance clerks or time-keepers. The Manager of Muraidih Colliery must have been an experienced person. He has specified by

his letter dated 21-1-80 that the concerned workman worked as time-keeper (Ext. W-2). This being the position, I come to the conclusion that the concerned workman had worked as time-keeper of Muraidih Colliery from 6-2-79 to 18-12-79.

9. It appears from the letter of the Personnel Manager of Barora Area that since the concerned workman had worked as time-keeper for more than 240 days, he should be regularised as time-keeper. The union has filed an extract from the Record Note of Discussions of the Central Consultative Committee Meeting held on 6-7-76 (Ext. W-6). This extract discloses that the workmen working in higher category against permanent vacancy for more than six months should be regularised. The concerned workman worked for more than six months on higher job against permanent vacancy. Hence, he is entitled to be regularised in service as time-keeper.

10. Shri R. S. Murthy has contended that the concerned workman is not entitled to be promoted as time-keeper in Clerical Grade-II since he is a workman working in different disciplines. The management has submitted Promotion Policy for ministerial cadre as obtaining in 1977 (Ext. M-3) and the present policy of the management for such promotion (Ext. M-2). These Promotion Policies envisage that promotion to the post of Clerical Grade-II is available to Clerical Grade III only and that too after three years of service in the grade and having matriculation or equivalent examination from any recognised Board of Examination as educational qualification. But in the present case the sponsoring union has not claimed promotion of the concerned workman to the post of Clerical Grade-II, but regularisation of his service as Clerk Grade-II.

Shri R. S. Murthy has further submitted that the concerned workman is not having academic qualification for holding the post as Clerk Grade-II. It appears from the Promotion Policy as well as Cadre Scheme for Ministerial Staff (Exts. M-3 and M-2 respectively) that minimum educational qualification for appointment in Clerk Grade-II and Grade-III is matriculation or equivalent examination from any recognised Board of Examination. The concerned workman has produced matriculation certificate issued by Hindi Bidyapit, Deoghar (Bihar) (Ext. W-5). Shri Murthy has contended that the matriculation certificate issued by Hindi Bidyapit Deoghar (Bihar) is not recognised by the Government. But there is no vestige of evidence on this point.

Considering the facts and circumstances of the case, I hold that the concerned workman is entitled to be regularised as Clerk Grade-II. He is also entitled for difference of wages due to him as time-keeper from 6-2-79 to 18-12-79.

11. It appears from the testimony of the concerned workman that he has been working as Switch Board Attendant at the Sub-Station since July/August, 1984. Switch Board Attendance are daily rated workmen in Category-IV. In the circumstances, I think that the management should give the concerned workman an option as to whether he would continue in his present post or be regularised as Clerk Grade-II with effect from the date of the present reference i.e. 7-7-1984.

12. Accordingly, the following award is rendered—

The demand of Rashtriva Colliery Mazdoor Sangh that Shri Baidya Nath Sah, Pump Operator of Muraidih of M/s. B.C.C. Ltd. should be regularised as time-keeper, paid difference of wages due to him as time-keeper for the period he had worked as time-keeper from 6-2-79, is justified. The management is directed to give an option to the concerned workman as to whether he would continue in his present post as Switch Board Attendant at the Sub-Station or he would be regularised as Clerk Grade-II with effect from 7-7-1984 and decide the matter accordingly as per the option. The management is further directed to pay him difference of wages due to him as time-keeper from 6-2-79 to 18-12-79.

In the circumstances of the case, I award no cost.

S. K. MITRA, Presiding Officer
[No. L-20012/99/84-D.III (A)/IR (Coal-I)]

का. मा. 3028.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण से, केन्द्रीय सरकार, मैसर्स इण्डियन आयरन एंड स्टील कंपनी लिमि. की जितपुर कोलियरी के प्रबंधन से संबंधित विवादों और उनके कर्मचारियों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, (सं.-1) धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-11-91 को प्राप्त हुआ था।

S.O. 3028.—in pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal (No. 1), Dhanbad as shown in the Annexure in the industrial dispute between the employers in relation to the management of Jitpur Colliery of M/s. IISCO and their workmen which was received by the Central Government on the 11-11-91.

ANNEXURE

BETWEEN THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, DHANBAD

In the matter of a reference under section 10(1)(d) of the Industrial Dispute Act, 1947

Reference No. 4 of 1989

PARTIES:

Employers in relation to the management of Jitpur Colliery of M/s. Indian Iron and Steel Company Ltd., P.O. Jitpur, Dist. Dhanbad.

AND

Their workmen.

PRESENT:

Shri S. K. Mitra, Presiding Officer.

APPEARANCES:

For the Employers—Shri R. S. Murthy, Advocate.

For the Workmen—Shri S. N. Goswami, Advocate.

STATE: Bihar

INDUSTRY: Coal.

Dated, the 28th October, 1991

AWARD

By Order No. L-20012/156/88-D.3(A)/D.4(A), dated, the 30th December, 1988, the Central Government in the Ministry of Labour, has in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2-A) of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal:

"Whether the action of the management of Jitpur Colliery, M/s. IISCO Ltd., P.O. Jitpur, District Dhanbad, in dismissing Shri Hafiz Khan, P. No. 00516 is justified? If not, to what relief the concerned workman is entitled?"

2. The case of the management of Noonidih-Jitpur Colliery of M/s. Indian Iron & Steel Co. Ltd., as disclosed in the written statement-cum-rejoinder, details apart, is as follows:

Hafiz Khan, the concerned workman, was working in Noonidih-Jitpur Colliery of the management for some years. At the time of his dismissal from service he was holding the post of Coal Cutting Machine Driver. The colliery has got Certified Standing Order of its own and all the workmen including the concerned workman were governed by the said Standing Orders. On 14-8-86 the concerned workman was appointed in the 2nd shift on the coal cutting machine in West Development District of 14 Seam in the West Sixth Level/West fourth Rise face at 7.15 P.M. He was grossly

negligent in discharge of his duty as Coal Cutting Machine Driver, violated Regulation 55(2) of the Coal Mines Regulations and operated the cutting chain of the coal cutting machine without taking necessary safety precautions and without ensuring that S/Shri Kapildeo and Md. Safique working as C.C.M. Helpers had completed the specific duties assigned to them by him on the machine and had taken safety positions so much so that left foot with shoe of Kapildeo got entangled with the cutting picks and caught in between the cutting chain rope pulley and the jib head. As a result, Kapildeo was very seriously injured and later he succumbed to his injury at about 3 A.M. on 16-8-86 in F.C.I. Sindri Hospital where he was removed for medical aid. His act of negligence also attracts Section 304-A of the Indian Penal Code. By his acts he caused wilful damage to work in progress and to the property of the management inasmuch as production work in the concerned coal face had to be suspended for the remaining period of 2nd and 3rd shifts of 14-8-86, 16-8-86 and also the 1st shift of 18-8-86 and the company had incurred a liability/loss of Rs. 24,760.00 representing compensation payable to the legal heirs of Kapildeo, the deceased workman, besides other liabilities. Following this occurrence the chargesheet was issued to the concerned workman for commission of misconduct within the meaning of Clause 27-93 and Clause 27(19) of the Certified Standing Orders, namely, causing wilful damage to work in progress or to property of the employer and any breach of the Mines Act, 1952 or any other Act or any Rule, Regulation or bye-laws thereunder or of any Standing Orders. The provisions of Indian Penal Code will come within the scope of any other Act referred to in the said Act. The concerned workman submitted his reply to the chargesheet denying the charges. His explanation was found to be unsatisfactory by the Manager of the Colliery. Thereafter the Manager of the Colliery ordered an enquiry into the charges framed against him by his letter dated 21-10-86 and appointed Shri R. Mohan, the then Dy. Manager (Personnel) as Enquiry Officer. The Enquiry Officer held the domestic enquiry in presence of the concerned workman who was given full opportunity to defend himself by cross examining the witnesses for the management and to make statement in support of his defence which he did. He did not, however, examine any witness in support of his defence. The Enquiry Officer submitted his report holding that the concerned workman guilty of the charges framed against him. The Manager of the Colliery considered the report of the Enquiry Officer, accepted his findings and came to the conclusion that the charges proved against the concerned workman were of very serious nature. The case was also considered by the Agent of the Colliery who agreed with the finding of the Enquiry Officer and recommendation of the Manager of the colliery. He recommended that the concerned workman should be dismissed from service. Thereafter the case was put up before Dy. General Manager/Chief Mining Engineer of IISCO collieries under whose jurisdiction the Noonidih-Jitpur falls. The Dy. General Manager/Chief Mining Engineer decided that the concerned workman should be dismissed from service. Accordingly, the concerned workman was dismissed from service by the Manager of Colliery by his letter dated 29-7-87.

3. The case of the concerned workman as appearing from the written statement submitted by him, briefly stated, is as follows:

Hafiz Khan, the concerned workman, had been working under the management of Noonidih-Jitpur Colliery of M/s. IISCO since 15-9-54. Since 1972 he was working as Coal Cutting Machine Driver with a clean record of service. The management of Noonidih-Jitpur Colliery issued a chargesheet dated 7/14-10-86. The allegations contained in the chargesheet were false, mischievous, illegal and vague and the concerned workman was dismissed from service by letter dated 29-7-87 which is also illegal, arbitrary and unjustified. The chargesheet is false and vague as no material particulars of acts of misconduct and negligence committed by the concerned workman have been disclosed therein. The chargesheet is also misconceived as an accident which is vismajor cannot be regarded as an act of misconduct. The management is under statutory obligation to pay compensation to a deceased workman if personal injury is caused to a workman or death is caused by accident arising out of

under the course of employment. The management has violated the Mines Act, Rules and Regulations by engaging unskilled, raw hands in prohibited jobs of the mines. The chargesheet is also vague as it does not disclose the manner in which the concerned workman caused wilful damage to the work in progress and to the property of the management. The management did not properly consider the reply submitted by the concerned workman. The Enquiry Officer was biased and during the enquiry proceeding he discarded the principles of natural justice inasmuch as the concerned workman was not allowed to cross-examine the witnesses for the management. The punishment of dismissal from service meted out to the concerned workman is disproportionate to the act of misconduct. The disciplinary authority has ignored the cardinal principles in awarding punishment of dismissal from service to the concerned workman. In the circumstances, the concerned workman has prayed that the act of the management in dismissing the concerned workman be held to be unjustified and he be reinstated in service with full back wages.

4. In rejoinder to the written statement of the concerned workman, the management has denied each and every allegation made against it and firmly stated that in the context of facts and circumstances of the case the punishment of dismissal of the concerned workman from service is fully justified.

5. In the rejoinder to the written statement of the management, the concerned workman has stated that he was not guilty of any act of commission and omission or negligence in discharge of his duty. Kapildeo died in F.C.I. Hospital, Sindri, due to the negligence of the management. The management should have arranged to make his admission and take care for treatment at Central Hospital, Dhanbad. The report of the Enquiry Officer is unfair, improper, biased and perverse.

6. At the instance of the management the fairness and propriety of the domestic enquiry was considered as preliminary issue. The management examined the Enquiry Officer and laid in evidence the entire domestic enquiry proceedings which were marked Exts. M-1 to M-9/1. The concerned workman did not examine himself nor did he adduce any documentary evidence.

At the time of hearing of argument on preliminary issue, Shri S. N. Goswami conceded that the domestic enquiry was held fairly and properly.

Upon consideration of materials on record, I also held that the domestic enquiry was held fairly and properly. Thereafter the case was heard on merits. At the time of final hearing on merits the parties arrayed did not adduce any further evidence.

7. Undisputedly, Hafiz Khan, the concerned workman, was working in Noonidih-Jitpur Colliery of M/s. IISCO since 15-9-1954 and since 1972 he was working as Coal Cutting Machine Driver in the said colliery.

8. According to the management, the workman concerned was on duty on 14-8-86 in the 2nd shift in West Development District of 14 Seam in the West Sixth Level/West Fourth Rise face of the said colliery when, at about 7.15 P.M. he operated the machine in grossly negligent manner as a consequence of which the left foot with shoe of Kapildeo who was working as C.C.M. Helper got entangled with the cutting picks and caught in between the cutting chain rope pulley and jib head and as a result Kapildeo was seriously injured and later he succumbed to his injury at about 3 A.M. on 16-8-86 in F.C.I. Sindri Hospital. Consequent upon this incident the management issued chargesheet dated 7/14-10-86 against him (Ext M-3) through the Manager of the Colliery. The relevant portion of the chargesheet is gleaned hereinbelow:—

[That on 14-8-1986, in second shift while you were on duty on the Coal Cutting Machine in West Development District of 14 Seam in the West Sixth Level/West Fourth Rise face, at about 7.15 P.M., you were grossly negligent in the discharge

of your duties as a Coal Cutting Machine Driver and you also violated Regulation 55(2) of the Coal Mines Regulations and operated the cutting chain of the coal cutting machine without taking the necessary safety precautions and without ensuring that S/Shri Kapildeo and Mohammad Rafique working as C.C.M. Helpers had completed the specific duties assigned by you to them on the machine and had taken safe positions so much so that Sri Kapildeo's left foot with shoe got entangled with the cutting picks and dragged his left leg in between the cutting chain rope pulley and the Jib Head. As a result, Shri Kapildeo was very seriously injured and later he succumbed to his injuries at about 3 A.M. on 16-8-86 in the F.C.I. Sindri Hospital where he was removed for medical aid. You also thus caused the death of Sri Kapildeo by negligence which also attracts Section 304-A of the Indian Penal Code.

That by your alleged acts as referred to in Charge No. 1 above, you caused wilful damage to work in progress and to property of the management, inasmuch as the production work by the concerned coal face had to be suspended for the remaining period of second and third shifts of 14-8-86, 16-8-86 and also the first shift of 18-8-86 and the Company had incurred a liability/loss of Rs. 74,760.00 representing compensation payable to the legal heirs of late Kapildeo, the deceased workman, besides other liabilities.

If the above charges are proved they will constitute misconduct within the meaning of the following clauses of the aforesaid Standing Orders and even otherwise considering what is misconduct has to reasonably construed:—

S.O. 27(19)—Any breach of the Mines Act, 1952 or any other Act or any rule regulation or bye laws thereunder or of any Standing Orders. The I.P.C. will come within the scope of any other Act referred to in the said clause).

S.O. 27(9)—Causing wilful damage to work in progress or to property of the employer.

You are required to submit your explanation in respect of the above charges to reach me within 48 hrs. of the receipt of the charge sheet by you. If you fail to do, within the specified period it will be presumed that you have no explanation to submit and that you accept the charges. Thereafter, further necessary action in the matter will be taken.

Pending enquiry into the above charges, you are hereby placed under suspension with immediate effect and until further orders. During the period of suspension you will be entitled to subsistence allowance as per the relevant statutory provisions."

He submitted explanation to the chargesheet by his letter dated 16-10-86 (Ext. M-4) denying the allegations. His substantive defence in his reply to the chargesheet are gleaned hereinbelow :

"...Before driving the Coal Cutting Machine all precautions were taken by me in as much as the Junior Overman, Mining Sirdar being satisfied the precautions taken by me in respect of the Coal Cutting Machine as well as the environment directed me to start the same. Before operations all persons including the Coal Cutting Machine helpers who then were in Mine including said Kapildeo were duly warned by the Junior Overman, Mining Sirdar as well as by myself.

It is absolutely incorrect to say that due to gross negligence on my part and without taking the necessary safety precautions of the Machine, Sri Kapildeo was seriously injured on 14-8-1986 at 7.15 P.M. as

his left foot with shoe got entangled with the cutting picks of the Machine.

It is submitted that said Kapildeo is a badli worker and worked for the first time as a Machine Helper on 14-8-86 and prior to that he had no knowledge of the system of the work. The allotment of work as helper machine of said Kapildeo was allotted by the Junior Overman and I, myself protested for the allotment of work of said Kapildeo before the Junior Overman as also before the Employer Management but neither the Junior Overman nor the Management did pay any attention to my protest rather the Junior Overman uttered in presence of all that he has taken the responsibilities of the lives and properties of the badli worker namely Kapildeo.

Before operating the Coal Cutting Machine due warnings were given by me to the Machine Helpers and thereafter the machine was operated.

Due to wilful negligence on the part of said Kapildeo, he has sustained injuries on 14-8-86 and thereafter he was given treatment in colliery hospital and later on he was admitted in F.C.I. Hospital at Sindri. It is absolutely incorrect to say that said Kapildeo got injury due to gross negligence of my self and he died due to my negligence.

I am absolutely innocent and has not committed any offence for which Section 304-A I.P.C. may attract against me."

9. I consider it necessary to underline the duties of C.C.M. Driver and C.C.M. Helper as found place in the Nomenclature, Job Description and Categorisation of Coal Employees issued by J.B.C.C.I. for Coal Industry.

C.C.M. Driver : A manual workman who is in charge of and operates a coal cutting machine.

C.C.M. (Helper) : A workman who assists the operator of the coal cutting machine in his general work.

The defence of the concerned workman against the allegation of the management of his gross negligence in performance of duty is that he was not neglecting in performing his duty and before operation of the coal cutting machine, all persons including the C.C.M. Helpers including Kapildeo were duly warned by the Junior Overman, Mining Sirdar as well as by himself and that he protested against deployment of Kapildeo as C.C.M. Helper as he was a badli workman who worked for the first time as C.C.M. Helper on 14-8-86 to the Junior Overman.

10. The management held domestic enquiry into the charges levelled against the concerned workman. In the domestic enquiry Shri Gyan Singh Asstt. Supdt. of Jharkhand Colliery, has stated that in his opinion, had the concerned workman seen that his helpers i.e. S/Shri Md. Rafique and Kapildeo had completed the job assigned to them by him and seen that they had taken safe position before starting the C.C. Machine without giving any warning, the accident would not have taken place, which, however, resulted in the death of Kapildeo on 16-8-86. Shri Jaidev Daswan made statement in the domestic enquiry. He stated that on 14-8-86 he was on duty in the second shift as Dresser and that after completion of dressing, he told the concerned workman to start the machine and the concerned workman sent Ramtali for repairing the drill machine and started the machine with the help of Md. Rafique and Kapildeo as machine helpers. He also stated that Kapildeo was told by the concerned workman to adjust the rope in the pulley and asked Md. Rafique to fix up the rope after making check and while the job was being done by Rafique and Kapildeo, the concerned workman started the machine without giving warning 'KHABARDAR'. He also stated the moment he saw Kapildeo falling down on the jib, he shouted to stop the machine while Md. Rafique fell down on the other side and on hearing his shouts the concerned workman stopped the machine. In cross-examination by the concerned workman the witness stood firm on the facts appearing in his statement. Md. Rafique, the other C.C.M. Helper stated before the Enquiry Officer that the concerned workman told

them to reset the anchor prop and the rope in the position of cutting or make duggy in the roof for anchoring the prop. He also stated that the concerned workman told Kapildeo to adjust the rope in the pulley and that while they were doing the job he heard sound presumably of the engine having been started by the concerned workman and saw the leg of Kapildeo entangled between the job and the body of the machine. On seeing this he was shocked and fell down beside the machine. He did not flinch and inch from his statement in the cross-examination by the concerned workman. The statement of S/Shri Nabagopal Das, Mining Sirdar and N. Singh, the Overman, who were on duty in the second shift on 14-8-86 were recorded in the domestic enquiry. But none of them was asked by the concerned workman that he (concerned workman) objected to deployment of Kapildeo as C.C.M. Helmer. The concerned workman had of course stated that he started the machine after giving due warning to all concerned but that in his mind it did not. None of workman who were on duty in the second shift and at the place of occurrence has come forward to support him. This being the position, I have no hesitation to hold that the concerned workman committed gross negligence when he started the machine without giving warning to the workmen on duty.

11. Shri S. N. Goswami, learned Advocate for the concerned workman has contended that the management has made no allegation that the concerned workman was rash and negligent in performance of duty. But this contention of Shri Goswami is not sustainable since in the chargesheet itself the management has alleged that the concerned workman was grossly negligent in discharge of his duty as C.C.M. Driver.

Shri R. S. Murthy, learned Advocate for the management has contended that the concerned workman had caused the death of Kapildeo by negligence and this is a misconduct comprehended under Clause 27(19) of the Certified Standing Orders of the colliery. Clause 27(19) is as follows :

“Any breach of the Mines Act, 1952 or any other Act or any Rule, Regulation or bye-laws thereunder or of any Standing Order”.

According to Shri R. S. Murthy causing death of a person by negligence is an offence under Sec. 304-A of I.P.C. and the same should be considered as misconduct under Clause 27(19) of the Certified Standing Orders. Sri Goswami has contended that the management has got no authority or right to hold enquiry in respect of an offence under I.P.C. Cause of death by negligence is an offence affecting life. Indeed, there is a specific forum for trial of an offender committing such offence. Nevertheless, the fact remains that causing death by negligence is itself a misconduct as per Certified Standing Order of the colliery for which the management can institute domestic enquiry and inflict punishment for such misconduct. Even so, it appears from the Certified Standing Orders that negligent of work is a misconduct under Clause 27(6) of the Certified Standing Orders. Although this clause has not been cited in the chargesheet, the contents of the chargesheet amply indicates that the concerned workman was arraigned on a charge of neglect of work. In this view of the matter the concerned workman has committed gross negligence in performing his duty as consequence of which the life of a workman was lost. Hence, I hold that the Enquiry Officer has rightly found the concerned workman guilty of the charge of gross negligence of work.

12. The chargesheet has spelt out that as a result of accident there was suspension of production of work in the colliery in the second and third shifts 14-8-86 and 16-8-86 and first shift of 18-8-86. But there is no vestige of evidence to support this charge. In my view, the Enquiry Officer has wrongly found the concerned workman guilty of this score. Then again, the concerned workman was charged for having caused loss to the company of the extent of Rs. 74,760 representing compensation payable to the legal heirs of late Kapildeo, besides other liabilities. The management is legally bound to provide compensation to a workman who dies in accident while on duty. The accidental

death may be caused by the negligence of a workman on duty, but for this that workman is not answerable to a charge for having caused loss to the company representing the amount of compensation payable to the heir of the deceased workman. In my view the Enquiry Officer has erroneously found the concerned workman guilty of this charge.

13. Anyway, the fact remains that the concerned workman committed gross negligence in performance of duty as a consequence of which one valuable life was lost. In my view the management has rightly imposed on the concerned workman the punishment of his dismissal from service.

14. Accordingly, the following award is rendered—the action of the management of Jitpur Colliery, M/s. HSCO Ltd., P.O. Jitpur, District Dhanbad, in dismissing Shri Hafiz Khan from service is justified.

In the circumstances of the case, I award no cost.

S. K. MITRA, Presiding Officer
[No. L-20012/156/88-D.III(A)/IR(Coal-I)]
K. J. DYVA PRASAD, Desk Officer

नई दिल्ली, 12 नवम्बर, 1991

का. प्रा. 3029.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार, मै. रामाकान्ता वी. एस. वेल्किङ्कर, मारदोल के प्रबन्धन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नं. 2 बम्बई के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-11-91 को प्राप्त हुआ था।

New Delhi, the 12th November, 1991

S.O. 3029.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 2, BOMBAY as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. Ramacanta V. S. Velingkar, Mardol and their workmen, which was received by the Central Government on 11-11-91.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No. : 2. AT BOMBAY
REFERENCE No. : CGIT-2/7 of 1990

PARTIES :

The Employers in relation to the management of M/s. Ramacanta V. S. Velingkar, Mardol.

AND

Their Workmen

APPEARANCES :

For the Employer.—Shri M. S. Bandodkar Advocate.

For the Workmen.—No appearance.

INDUSTRY : Mining

STATE : Goa

Bombay, dated the 30th October, 1991

AWARD

The Central Government by their order No. L-29012/19/90-IR(Misc.) dated 22-5-1990 have referred the following industrial dispute to this Tribunal for adjudication under section 10(1)(d) of the Industrial Disputes Act, 1947.

“Whether the action of the management of M/s. Rama-

canta V. S. Velingkar (in relation to their Corpadege Iron Ore Mines) Velingkar, Mardol-Goa in terminating the services of Shri Norbert V. Rodrigues, Office Clerk with effect from 1-8-1989, is justified? If not, what relief is the workman entitled to?"

2. The case of the said workman as disclosed from the statement of claim (Ex. 2) filed by the workman in person, in short, is thus :—

He was appointed in the service of the said management as an Office Clerk on 17-11-1986. His services were terminated by the management by their letter dated 27-7-1989 on the ground of lack of efficiency. However, no notice or any letter was ever sent to him by the management regarding the alleged inefficiency of work. His services were terminated all of a sudden without any notice. No inquiry was held regarding the allegations against him, and no opportunity was given to him to put in his say in the matter. As such, his termination of services by the management is bad in law. He, therefore, prayed that the management be directed to reinstate him in service with full back wages and the continuity of service.

3. The manager of the mines of the said management by his written statement (Ex. 3) opposed the said claim of the workman, and in substance contended thus :—

The said workman was appointed on probation on 1-6-87. His period of probation was extended due to his bad performance of the work. Letters were sent to him to improve the quality of his work. However, his performance did not come to the expected standard. At the time of the termination of his services, he was offered all the legal dues, such as, notice pay, retrenchment compensation etc., but he refused to accept the necessary cheque in that respect. Thereafter, the workman raised an industrial dispute before the Assistant Labour Commissioner (Central). After discussions, the management offered him the job again. The workman reported for his duty at the Office on 30-6-1990 at 2.30 pm and worked upto 5 pm. Thereafter, he did not report to his duties, nor did he report before this Tribunal after filing the statement of claim. It clearly shows that the workman is not at all interested in the job, as well as in the present reference. As such, his claim be rejected.

4. The Mines Manager Shri C. S. Dhavaji filed his affidavit (Ex. 4) in support of the contentions of the management.

5. The workman filed his statement of claim before this Tribunal on 23-10-1990. Thereafter, he remained absent on the subsequent dates, i.e. on 23-1-1991, 9-7-1991, 22-10-1991, and 24-10-1991. As such, the statements made by the said witness in his affidavit remained unchallenged. The workman has failed to prove the charges made by him against the management, as he remained absent continuously. It, therefore, seems that he is not interested in the service with the management, and also in pursuing with the present reference. Therefore, I accept the contentions of the witness of the management, and find that the action of the management is quite just and proper.

6. The following Award is, therefore, passed.

AWARD

7. The action of the management of M/s. Ramacanta V. S. Velingkar in relation to their Corpadege Iron Ore Mines Velingkar, Mardol-Goa, in terminating the services of Shri Norbert V. Rodrigues, Office Clerk with effect from 1-8-89, is just and proper.

P. D. APSHANKAR, Presiding Officer
[No. L29012/19/90-IR(Misc.)]

का. आ 3030 - औद्योगिक विवाद अधिनियम 1947 (1947 का 11) की प्राय 17 के अनुसरण में, केन्द्रीय सरकार, हिन्दुस्तान स्टील वर्क्स कन्स्ट्रक्शन लि., भवान्थपुर के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके

कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में कन्द्रीय सरकार औद्योगिक अधिकरण, नं. 1, धनबाद के पंचपट का प्रकाशित करती है, जो कन्द्रीय सरकार को 11-11-91 को प्राप्त हुआ था।

S.O. 3030.--In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 1, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Hindustan Steel Works Construction Ltd., Bhawanthpur and their workmen, which was received by the Central Government on the 11-11-91.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL No. 1, DHANBAD

In the matter of a reference under section 10(1)(d) of the Industrial Disputes Act, 1947.

Reference No. 76 of 1988

PARTIES :

Employers in relation to the management of Hindustan Steel Works Construction Ltd., Bhawanathpur

AND

Their Workmen

PRESENT :

Shri S. K. Mitra, Presiding Officer.

APPEARANCES :

For the Employers.—Shri P. R. Rakhit, Advocate.

For the Workmen.—Shri D. Mukherjee, Advocate.

STATE : Bihar

INDUSTRY : Steel

Dated, the 30th October, 1991

AWARD

By Order No. L-26012/19/87-D.III(B), dated, the 30th June, 1988, the Central Government in the Ministry of Labour, has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the action of the management of Hindustan Steel Works Construction Ltd. in dismissing Sri Baijnath Prasad, Rigger, from service with effect from 28-3-86 is justified. If not, to what relief the workman is entitled?"

2. The case of the management of Hindustan Steel Works Construction Ltd. as disclosed in the written statement, details apart, as is follows :

The present reference is not maintainable either in law or on facts and this Tribunal has got no jurisdiction to adjudicate this dispute since the Central Government is not the appropriate Government to make reference of the present dispute for adjudication by this Tribunal. The substantive case of the management is that one workman, named Baijnath Prasad joined the service of the management company as a Rigger on 13-2-1973 at Bokaro Steel City. At the time of joining he submitted personal Data Form in which he disclosed all particulars including his age as 24 years as on 13-2-73 and his father's name as Jangi Prasad. The real Baijnath Prasad S/o Jangi Bhagat, prior to his joining in the Hindustan Steel Works Construction Ltd., was employed in Tarnaka and worked there from 26-9-65 to 4-12-70 and the fake Baijnath Prasad was in reality Hiralal Prasad, a miser, as per declaration submitted to the company. A subtle fraud was practised upon the company and the real Baijnath Prasad joined Bokaro Steel Plant and his own brother Hiralal Prasad by impersonating himself as Baijnath Prasad, started working as Rigger under the management company with effect from 13-2-73. From a perusal of the joining report

of the fake Baijnath Prasad this fact would be evident. This fraud and impersonation could not be detected by the company as it is a huge organisation and Hiralal Prasad impersonating Baijnath Prasad continued working as real Baijnath Prasad as Rigger. He submitted a declaration form for issue/renewal of medical identity Card wherein he declared his date of birth as 2-5-1949 giving therein details of dependent family members and for the first time he claimed himself as Baijnath Prasad Singh and not Baijnath Prasad and declared his age as 28 year. On all other documents including the medical certificate he mentioned his name as Baijnath Prasad, S/o Jangi Bhagat/Jangi Prasad. He declared his age to be 20 years on 2-3-1978 in the declaration form (Form II) of the Employees' Family Pension Scheme 1971 which invited serious anomaly. Anyway, Hiralal Prasad by impersonating Baijnath Prasad joined the company on 13-2-1973 and reproduced for himself all the particulars of his brother, namely, Baijnath Prasad. He furnished school leaving certificate showing his date of birth as 24-10-1953 whereas at the time of his joining the service he declared his date of birth as 24 years in the personal data form and subsequently declared his date of birth as 2-5-1949. He deliberately and dishonestly impersonated himself as Baijnath Prasad, son of Jangi Bhagat by submitting incorrect details regarding his real name, age and relations etc. and subsequently when investigation by Vigilance department started against him, he obtained some documents giving incorrect and fraudulent details in order to prove himself as Baijnath Prasad. The management having been satisfied that there was a prima facie case against him, served a chargesheet alongwith a statement of allegations dated 2-3-1981 directing him to show cause. He submitted his reply to the chargesheet on 19-3-1981 which was found to be unsatisfactory and a regular domestic enquiry was held in the course of which he was afforded full opportunity to defend himself. The Enquiry Committee, after taking into consideration all the materials on record submitted the report holding him guilty of the charge. The concerned competent authority considered the report of the enquiry, concurred with the findings and thereafter passed order of the dismissal from service by order dated 28-3-1986. He has not been victimised. Accordingly, the management has prayed that the dismissal of the concerned workman from service with effect from 28-3-83 be held to be justified.

3. The case of the sponsoring union, Bokaro Ispat Central Workers' Union, as appearing in the written statement submitted on behalf of the concerned workman, is as follows :

The concerned workman was a permanent workman of the company and he was working as Rigger. He was a trade union activist and since the union was not to the liking of the company, efforts were set a foot by the management to victimise him. The opportunity was provided by Sri S. Sinha, Vigilance Officer who was not well-disposed towards him and at his instance the management manipulated a false chargesheet against him to which he submitted reply dated 2-3-1981. A mark believe enquiry was held by the management for victimising him and the way the enquiry was conducted it was not left for any doubt about the outcome of the said enquiry. As a matter of fact no proper opportunity was given to him to defend himself at the enquiry. The findings of the Enquiry Officer are out and out perverse. Despite the fact that the enquiry was not conducted in conformance to the principles of natural justice, he was dismissed from service with effect from 28-3-86. He, after his dismissal, appealed to the General Manager (P&A) on 2-5-86 but no action was taken on his appeal. Thereafter he, through his union, raised an industrial dispute on 24-9-86 and as the company failed to respond to the representation of the union, the case was referred to the Asstt. Labour Commissioner (C), Ranchi for conciliation on 23-6-87. The conciliation proceeding having failed, the dispute has been referred by the Central Government to this Tribunal for adjudication. The union has alleged that the enquiry was held in violation of the principles of natural justice and that the concerned workman was not given proper opportunity to defend himself by the Enquiry Officer, that the findings of the Enquiry Officer are perverse and even upon evidence on record, the said findings are not sustainable and that copy of

the findings was not supplied to the concerned workman for preferring appeal and the order of dismissal was passed in violation of provision of the Standing Orders. The union has further alleged that the order of dismissal was passed by an incompetent person and in doing so, the authority has failed to give the concerned workman opportunity to show cause against the proposed penalty and that the penalty was an exercise of unfair labour practice and victimisation.

4. In rejoinder to the written statement of the sponsoring union, the management has denied and disputed each and every contention of the union and reiterated that the order of dismissal of the concerned workman from service is just and proper.

5. In rejoinder to the written statement of the management, the union has stated that the present reference is maintainable and that the Central Government has jurisdiction to refer the dispute for adjudication by this Tribunal. The union has further submitted that the findings of the Enquiry Officer are perverse and asserted that no fraud was ever practised as alleged nor any impersonation was proved. According to the union, it is a practice in Bihar that the lower community people very often use the title of upper caste. It is very often seen that Yadavs are writing their title as Singh. The union has asserted that the concerned workman never impersonated as alleged and he explained the position fully, but the management kept its eyes shut so that it could victimise him.

6. At the instance of the management the propriety and fairness of the domestic enquiry was considered as preliminary issue. In the course of hearing the issue, the management laid in evidence a sheaf of documents which were marked Exts. M-1 to M-33 and examined Shri J. L. Das, Enquiry Officer as MW-1.

On the other hand, the union did not adduce any evidence either oral or documentary.

Upon consideration of evidence on record, it was held that the domestic enquiry was held fairly and properly. Thereafter the case was heard on merits.

7. At the outset Shri P. R. Rakhit, learned Advocate for the management has submitted that this Tribunal, Central Govt. Industrial Tribunal-Cum-Labour Court (No. 1), Dhanbad, has got no jurisdiction to adjudicate the present industrial dispute since the Central Government is not the appropriate Government to refer the dispute for adjudication by this Tribunal.

In order to appreciate the contention of Shri Rakhit and to decide the matter, it is necessary to refer to the pleading of the parties in so far as this issue is concerned.

8. The management in para 3 of its written statement has taken the specific plea on this issue which is gleaned hereinbelow :

"The Hon'ble Tribunal has no jurisdiction to adjudicate this reference since the Central Government is not the appropriate Government so far as the construction activities of the management company was concerned."

In answer to this specific plea the sponsoring union, Bokaro Ispat Central Workers' Union, has asserted that this Tribunal has got jurisdiction to adjudicate upon the matter. The statement made in his connection is reproduced hereinbelow :

"The contention of para 3 of the written statement is denied. The Central Government is the competent authority in the present context and this Tribunal has jurisdiction to adjudicate into (upon) the matter."

9. Admittedly, Hindustan Steel Works Construction Ltd is a company registered under the Company's Act having its registered office at Shakespear Sarani, Calcutta. Undisputedly, this company has its office at Bokaro Steel City. The company undertakes and executes various construction works and it is the specific contention of the management that the Central Government is not the appropriate Government in so far as the construction activities of the management com-

pany concerned. The sponsoring union has not laid any evidence to controvert this contention. 'Appropriate Government' as per definition of Section 2(a)(i) means in relation to any industrial dispute concerning (a) any industry carried on or under the authority of the Central Government,...(d) or by a railway company or concerning any such controlled industry as may be specified in this behalf by the Central Government...the Central Govt. There is no evidence on record to indicate that Hindustan Works Construction Ltd. is a company which runs any industry carried on by or under the authority of the Central Government or it is a company which runs any controlled industry as has been specified in this behalf by the Central Government. It appears that this company, while executing the construction works, is entirely independent of any control or interference from the Central Government. This being so, the case of the company would not be governed by Sec. 2(a)(i) of the Industrial Disputes Act, but by the residuary provision in Sec. 2(a)(ii) and so the State Government would be the appropriate Government. In this connection the decision of Karnataka High Court reported in 1988 Lab. I.C. 879 (K. E. Koshy and another, petitioner VS. the State, Respondent) may be cited.

10. Shri D. Mukherjee, learned Advocate for the sponsoring union, has contended that the concerned workman was working in Bhabanathpur Mine and so the Central Government is the appropriate Government to refer the present industrial dispute for adjudication by this Tribunal. I have gone through the record of this case but there appears no vestige of evidence to indicate that the concerned workman was ever employed in a mine. The chargesheet which led to the domestic enquiry describes the concerned workman as follows : (Ext. M-6)—

Bajinath Prasad,
Rigger (W-6),
P. No. 11043,
SMS (Strl) Zone,
HSCL, B. S. City.

The chargesheet dated 2-3-1981 was issued by K. G. Mishra, Chief Engineer/SMS.

The concerned workman submitted his reply to the chargesheet on 19-3-1981 (Ext. M-7). He addressed his reply to the chargesheet to the Chief Engineer/SMS, Hindustan Steel Works Construction Limited, Bokaro Steel City and described himself as—

Bajinath Prasad,
Rigger, P. No. 11043,
Sqd. No. 95,
SMS/Strl.

Considering the evidence on record, I have no hesitation to hold that the sponsoring union could not establish that Bajinath Prasad, the concerned workman was employed in a mine by Hindustan Steel Works Construction Ltd.

11. Considering the evidence on record, I come to the conclusion that the company styled Hindustan Steel Works Construction Limited does not run any industry carried on or under the authority of the Central Government nor does it run any industry which has been specified by the Central Government as controlled industry in this behalf. I also come to the conclusion that the concerned workman was not employed in a mine. In the circumstances, the Central Government, in my view, is not the appropriate Government to refer the present industrial dispute to this Tribunal for adjudication.

This being the position, I refrain from adjudicating the present industrial dispute on merits.

12. Accordingly, the following award is rendered the action of the management of Hindustan Steel Works Construction Ltd. in dismissing Bajinath Prasad Rigger, from service with effect from 28-3-1986 cannot be decided in the present reference as the Central Government is held to be not the appropriate Government to refer the dispute for adjudication by this Tribunal.

In the circumstances of the case, I award no cost.

S. K. MITRA, Presiding Officer
[No. L-26012/19/87-D.III(B)].

का. आ. 3031.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, के. पी. वी. शेक मोहम्मद राठौर एण्ड कं. लि., के प्रबन्धन में संवद्ध निोजकों और उनके कर्म-कारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण, मद्रास के पंचाद को प्रकाशित करती है, जो केन्द्रीय सरकार की 12-11-91 को प्राप्त हुआ था।

S.O. 3031.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal MADRAS, as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of K.P.V. Shaik Md. Rowther and Co. Ltd. and their workmen, which was received by the Central Government on the 12-11-91.

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL, TAMIL NADU, MADRAS

Friday, the 25th day of October, 1991

REVIEW APPLICATION No. 79 of 1991

in
I.D. No. 3 of 1986
And
I.D. No. 3 of 1986

In Review Application No. 79 of 1991.

The Management of

M/s. K. P. V. Shaik Mohammed Rowther & Co. Pvt. Ltd.,
202, Linghi Chetty Street, Post Box No. 1254,

Madras-600001.

... APPLICANT

—Vs—

Thiru B. Govindarajulu,
New No. 10/(Old No. 146), Kasipuram,
B. Block, 5th Lane, Royapuram,

Madras-600013.

... RESPONDENT

IN INDUSTRIAL DISPUTE No. 3 of 1986.

Between

Thiru B. Govindarajulu,
New No. 10/(Old No. 146), Kasipuram,
B. Block, 5th Lane, Royapuram,
Madras-600013.

AND

The Management of

M/s. K. P. V. Shaik Mohammed Rowther & Co. Pvt. Ltd.,
202, Linghi Chetty Street, Post Box No. 1254,
Madras-600001.

REFERENCE: Order No. L-33012/1/85-D.IV(A), dated 2-1-86 of the Ministry of Labour, Government of India, New Delhi.

This application and the dispute coming for final hearing on Monday, the 9th day of September, 1991 upon perusing the application, Counter, reference and all other material papers on record and upon hearing the arguments of Thiru T. Arulraj, Advocate appearing for the Applicant in Review Application No. 79 of 1991 and Management in I.D. No. 3 of 1986 and of Tvl. R. Ganesan and R. Gowthaman, Advocates for the Respondent, in Review Appln. No. 79 of 1991 and workman in I.D. No. 3/86 and this application and the dispute having stood over till this day for consideration, this Tribunal made the following:

AWARD

This is an application by the Management of K.P.V. Shaik Md. Rowther and Company Pvt. Limited, praying to review the award passed in the I.D. dated 31-10-1990.

2. The applicant states as follows:—

This petition is filed under Rule 55 of Tamil Nadu Industrial Disputes Rules, 1958 for reviewing the award dated 31-10-1990 passed in I.D. No. 3/86. The applicant who is respondent—employer in the I.D. No. 3/86 had dismissed respondent in this application, who is the petitioner in the I.D., from service after holding domestic enquiry. In passing the award the learned Tribunal failed to enforce Clause 14(G) of the Certified Standing order of the employer. The said clause provides that an employee who remains absent without leave should be deemed to have abandoned his employment voluntarily. The Tribunal has erroneously been carried away by the averment in the show cause notice issued by this applicant to the employee, that is, “if the respondent’s explanation should be found unsatisfactory, he shall be removed from service”. The learned Tribunal, having held that the domestic enquiry was held with fairness and that the findings were correct, should not have set aside the punishment of dismissal given to the respondent and directed to reinstate him on the ground of sympathy. In any view of the matter, the direction in the award that the employer shall pay the backwages after reinstatement amounts to gross error of law. Hence the applicant prays that the order of reinstatement along with back wages may be suitably reviewed.

3. The Respondent who is the petitioner in the I.D. alleges in his counter as follows:

The review application contemplated under Rule 55 is intended only to correct a clerical mistake or error. There is no legal provision for filing the present review application by canvassing merits of the award and the reliefs granted under the award. This review application is not maintainable and liable to be dismissed. The applicant should have filed a Writ Petition against the award which has been published in the Government of India Gazette dated 15-12-90. After the respondent wrote a letter to the applicant requesting to implement the award and reinstate him in service this review application has been filed with bad motives. Respondent has also filed C.C.P. on the file of the Principal Labour Court, Madras claiming payment of back wages. This review application deserves to be dismissed.

4. Points for determination arise in this review application are as follows:

- (i) Whether this application is maintainable ?
- (ii) Whether the award dated 31-10-1990 in I.D. No. 3/86 needs to be modified to any extent ?

5. POINTS: The applicant-employer’s learned counsel cited 1976 LAB. I.C. 1223, Sai Pal Sabharwal-Vs-The H.P. Financial Corporation, Simla, for the proposition that the Supreme Court and High Courts do have the power of review for preventing miscarriage of justice. Rule 55 of Tamil Nadu I.D. Rules 1958 enables this Tribunal only to correct a clerical mistake or error which has arisen accidentally. Rule 55 does not give any power to the Tribunal to review an award on merits. Though the Industrial Tribunal does not have any inherent power it is well settled that it has got implied power to correct in justice. The applicant’s counsel submitted that order for payment of back wages in full to the respondent employee that is petitioner in the I.D., in the award dt. 31-10-1990 has been passed by unfortunate omission to adhere to the rule that the employee who has not chosen to work voluntarily should not be allowed to enjoy wages for the period of no work. The respondent employee herein has failed to report for duty at a post in compliance with the order of transfer issued by the employer. Therefore respondent-employee has been clearly at fault in not obeying the transfer order and remaining absent from duties at the new post and hence enabling him to get full back wages is putting a premium on the employee’s refusal to work at the new post by complying with the transfer order. I consider that the order for payment of full back wages to the Employee-workman has been made in the award by an omission and that the same deserves to be corrected suitably by invoking the implied power of the Tribunal to meet the ends of justice. I hold that instead of awarding full backwages it will be just and proper to direct the applicant employer to pay Rs. 11,000/- in lieu of back wages and a sum of Rs. 1000 as cost by modifying the

award dt. 31-10-90. The reinstatement shall be deemed to have come into force with effect from 15-12-90 when the award was already published in the Gazette. The points are answered accordingly.

6. In the result, in partial modification of the award dt. 31-10-1990 in this I.D., a fresh award is passed in the following terms:

The Respondent-employer is directed to reinstate the Petitioner in service with effect from 15-12-1990 giving continuity of service and other benefits and pay Rs. 11,000/- only as backwages to the Respondent and Rs. 1,000/- as costs.

Dated, this 25th day of October, 1991.

THIRU M. GOPALASWAMY, Presiding Officer
[No. J-33012/1.85-D.IV(A)]
B. M. DAVID, Desk Officer

नई दिल्ली, 12 नवम्बर, 1991

का. ग्रा. 3032.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूच में, केन्द्रीय सरकार ग्रिन्डलेज बैंक, मुम्बई के प्रबन्धकों के संबंध नियोक्तों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, सं. 1, मुम्बई के पंचवट का प्रकाशित करती है, जो हदयाव सरकार को 8-11-91 का प्राप्त हुआ था।

New Delhi, the 12th November, 1991

S.O. 3032.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 1, Bombay as shown in the Annexure in the industrial dispute between the employers in relation to the management of Grindlays Bank Bombay and their workmen, which was received by the Central Government on 8-11-1991.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1 AT BOMBAY

(Presiding Officer, Justice S. N. Khatri)

Reference No. CGIT-11 of 1989

PARTIES :

Employers in relation to the management of Grindlays Bank, Bombay

AND

Their workmen.

APPEARANCES :

For the Management—Shri C. Krishnamurthy, Country Manager, Employee Relation and Shri Shriniwasan, Assistant Manager, Employee Relations.

For the Workmen—Shri Subramaniyan, General Secretary for the Federation.

INDUSTRY : Banking STATE : Maharashtra

Bombay, the 1st day of November, 1991

AWARD

The Central Government has referred the following industrial dispute to this Tribunal under Section 10 of the Industrial Disputes Act, 1947 (hereafter ‘the Act’) for adjudication :

“Whether the Strike resorted to by the Workmen of Grindlays Bank under the leadership of All India Grindlays Bank Employees Federation from 5-11-79 to 4-2-80 was legal. If so what relief the workmen are entitled to including their wages the period.”

2. The Grindlays Bank (hereafter 'the Bank') has its registered office in the United Kingdom and is a Public Utility Service within the meaning of Section 2(n) of the Act. It has about 55 branches in India, spread over Bombay, Calcutta, Madras, Delhi, Kanpur, Amritsar, Bangalore, Cochin and Hyderabad. Initially the All India Grindlays Bank Employees Federation (hereafter 'the Federation') were the sole party under the Reference, representing the Workmen of the Bank. On the application of the All India Grindlays Bank Employees Association (hereafter 'the Association') my learned predecessor Justice Jundar joined them also as a party to the Reference. The Association have filed a statement of claim, adopting the pleadings of the Federation. Workmen of the Bank admittedly went on strike at all Branches from 5th November, 1979. The strike continued at Delhi Branch upto 28th January 1980 and at all other Branches upto 4th February 1980. To the Federation's Statement of Claim, the Bank filed their written statement on 17th April, 1989, to which the Federation again filed a written statement on 27th June 1989. The Bank filed their rejoinder on that very day. The Federation has again filed what it has termed as rejoinder on 31st July. Thus there are 3 pleadings of the Federation, and two of the Bank. Although the pleadings are pretty long and stakes high, the real points of dispute are a few.

3. The case of the Federation is that the Workmen had been agitating since before 1970 for improvement of their service conditions, concerning Lunch Allowance, Additional Allowance, Canteen subsidy, Housing Loan and Bonus. However, the response of the Bank was always discouraging, reluctant as it was to treat its employees on par with other Foreign Banks. A settlement was reached between the Federation and the Bank on 16th September 1970 which expired on 31st December 1973. The Federation again presented a fresh Charter of Demands in July 1974. However, the Bank refused to consider demands for further benefits on the pretext that the Workmen were already getting more than their due under the Wage settlement at the Industrial level. There was also another bone of contention between the two sides. The Bank was keen on introducing mechanisation on a grand scale, which according to the Federation, would result in large scale displacement of employees and abolition of permanent jobs. This was understandably not relished by the Federation who point out that this action of the Bank was contrary to the provisions of the 1st Bi-partite settlement of 19-10-66 on mechanisation. All this led to unrest amongst the Workmen, who ultimately were compelled to take to peaceful agitation, including protest strikes etc. from time to time in the year 1973-75. Their grievance is that the Bank remained adamant all through, insisting for a package deal on the demands of the Workmen as well as its own on mechanisation.

4. The Federation states that a number of rounds of talks took place between the two sides between January and October 1979, the Bank declining to consider even a single demand of the employees, in absence of a settlement on the question of mechanisation on its own terms. The Federation even agreed to refer the dispute on bonus and mechanisation for adjudication or arbitration, provided the Bank settled their other 4 demands for upward revision of lunch allowance, additional allowance, housing loan and canteen subsidy. However the Bank would not budge at all from its rigid stand. The Federation called for protest action in September and October 1979, and eventually issued a strike notice dated 22nd October 1979, declaring their intention to go on strike from 5th November 1979.

5. The Regional Labour Commissioner (Central), Bombay called the two sides to the negotiating table. The parties however, could not come to terms and thus the conciliation proceedings ended on 3rd November 1979. As already stated above, thereafter the Workmen in the entire country went on strike on 5th November 1979. The local Union on Delhi Workmen called off the strike with effect from 28-1-80; at other places, it was called off with effect from 9-2-80. The Federation affirm that the strike was entirely legal. According to them the Bank had effected a partial lockout from the middle of October 1979, by stopping customers' services. This lockout became totally effective on 2nd November 1979, on the Bank's completely withdrawing these services. The anxiety of the Federation is to show that the lockout being illegal, their strike could not be

deemed as illegal, even if the Tribunal finds that the provisions of section 22 of the Act, do not stand literally complied with in their entirety. The Federation further pleads that the strike was wholly justified, for grounds listed in para 49 of their statement of claim. They now claim (i) full wages for the strike period; (ii) treating the strike period as period on duty for earning privilege leave (iii) 50% of the strike wages by way of compensation for mental tension and financial and other hardships and (iv) interest on the dues @ 12% p.a.

6. The Bank denies the Workmen's claim in toto. It denies that the strike was legal or justified. According to it, the strike notice dated 22nd October 1979 was in breach of clauses (b) and (d) of section 22(1) of the Act. It pleads that once the strike is held to be illegal, it is not open to the Workmen to prove that it was justifiable. The Bank denies that it had effected any lockout either from the middle of October 1979 or from 2nd November 1979, as alleged by the Federation. According to it the Workmen were always welcome to join their work. It is pointed out that during the course of the strike the Workmen had gone to the extent of battering three of their officers at Calcutta, while they had gone to a Post Office to collect mail. The Bank justifies its stand for package deal of demands of both sides, including its own for mechanisation. It points out that in a subsequent settlement dated 9th March 1981, the Federation had given up its claim for wages for the strike period. This the Bank asserts, estops the Workmen from claiming any relief now. It also relies on a settlement dated 27th December 1978. Under which the Federation is alleged to have agreed to settle all disputes by collective bargaining, or failing that by recourse to the Bi-partite machinery provided under the Act. Thus according to the Bank, the proper course for the Workmen would have been to wait for the Government to refer the Dispute for adjudication to the Tribunal and not rush for a strike. It prays for outright rejection of the Reference.

7. Points that arise for determination are given below with my findings thereon :

Points for determination	Findings
1. Are the Workmen estopped from pursuing this Reference ?	Not estopped
2. Do the Workmen prove that the strike is legal ?	No, it is illegal.
3. Do the Workmen prove that the Management had effected a partial lockout from the middle of October 1979 and a complete lockout from 2-11-79 ?	No there was no lockout, partial or complete.
4. If yes, whether both or either of these lockouts are legal ?	Does not arise.
5. Is it open to the Workmen to show that the strike was justified, even if it was illegal ?	Yes.
6. Was the strike justified ?	Yes.
7. What reliefs, if any are the Workmen entitled to ?	All Workmen except at Calcutta entitled to half of their wages for the strike period; No wages for Calcutta Workmen.
8. Relief and costs ?	See the final Award.

REASONS FOR FINDINGS

Point 1 :

8. The Bank rely on the minutes of a meeting held between them and the Federation on 9-3-1981 (Ex. M-50) for their plea of estoppel. This meeting was called after the strike to discuss the issue relating to deferment of dates of annual increments and crediting privilege leave for the period of strike and non-payment of canteen subsidy for the said

period. The relevant part of the minutes is extracted below for ready reference.

"The representatives of the Management and those of the Federation discussed the following issues arising out of the strike of the Bank's workmen from 5th November 1979 to 4th/5th February, 1980 :

- (i) deferment of the dates of accrual of annual increments by the period of the strike ;
- (ii) deferment of dates of crediting privilege leave by the period of the strike ; and
- (iii) non-payment of canteen subsidy for the strike period.

After discussions, the following agreement was reached :

- (i)
- (ii)
- (iii)

Incidentally, the Federation took up the matter pertaining to strike days' wages. The Management's representatives made it clear that in keeping with the principle of "no work no pay" it will not be possible for the Management to comply with the demand. The Federation agreed not to pursue this demand."

9. According to the Bank, by agreeing not to pursue the demand of wages for the strike period, the workmen are now estopped from doing so. There are two main obstacles in the way of the Bank. As rightly submitted by Shri Subramanyam for the Workmen, the writing (Ex. M-50) cannot in the first place be treated as a valid settlement, because, admittedly the mandatory provisions of section 2(p) of the Act in respect of settlements arrived at otherwise than in the cause of conciliation proceedings, read with rule 58(4) of the Industrial Disputes (Central) Rules 1957, were not complied with. Then simply because a particular demand is not pressed by Workmen it does not debar them from pursuing it in adjudication. If any authority is needed, reference may be made with advantage to 1965 II I.L.J. 149 Technological Institute of Textiles and their Workmen and others. As the minutes themselves record, the question of wages was raised by the Federation 'incidentally', and naturally they dropped it, on seeing the Management not receptive to the idea. Without dilating further, I hold that the Workmen are not estopped from raising the question of wages in these adjudicatory proceedings.

10. Points 2 to 4.—The decision as to the legality of the strike involves consideration of two main aspects. The first relates to the submission of the Bank that the strike is illegal because of non-compliance of the provisions of Section 22(1)(b) and (d) and section 23(a). The second aspect relates to the contention of the Federation that the Bank had effected a partial lockout as early as the middle of October 1979 and a full lockout with effect from 2nd November 1979, and as such the strike which commenced on 5th November 1979, subsequent to these lockouts cannot be deemed to be illegal, although provisions of Sections 22 and 23 are assumed to have not been complied with. The latter contention is based on Section 24(3), which inter alia provides that a strike declared in consequence of an illegal lockout shall not be deemed to be illegal. I shall dispose of these two questions seriatim.

11. Shri Krishnamurthy for the Bank submits that in the first place the notice dated 22nd October 1979 is not in the prescribed form L, as required by Section 22(4) read with Rule 71 of the Industrial Dispute (Central) Rules 1957. Thus in the first place, according to him, there is no valid notice of the strike at all, as contemplated by the mandatory provisions of Section 22. Then he points out that according to Section 22(1)(b), there ought to be a clear gap of 14 days between the date of giving the notice (22-10-79) and the date of commencement of the strike (5-11-79). He stresses that the notice falls short by one day. Next he contends that under Section 20(2)(b) conciliation proceedings shall be deemed to have concluded, where no settlement is arrived at, when

the report of the Conciliation Officer is received by the appropriate Government. In the present case it is an admitted position that the last meeting before the Conciliation Officer took place on 3rd November 1979. The date on which the Central Government received the failure report is not available on the record. Presuming that it was received by the Central Government on 3rd November 1979 itself, Shri Krishnamurthy submits, the strike should not have been started before 11th. Thus according to him the strike which was started on 5th November 1979, is obviously illegal. We need not wait to consider the effect of Section 23(a), because it covers conciliation proceedings before a Board and not before a Conciliation Officer.

12. Shri Subramaiyam for the Federation, in reply submits that the provisions of rule 71 and the form L are merely directory and not mandatory. According to him notice dated 22nd October 1979 may not be strictly in the form L, but it does substantially comply with the requirements of that form. He contends that even the provisions of Section 22 are directory and not mandatory. As far as the Bank's objection based on section 22(1)(d) in concerned, he says that the proceedings before the Conciliation Officer could not in reality be called conciliation proceedings at all. What he did amounts to nothing beyond taking an initiative to bring the two sides to the negotiating table without taking active part himself. In this connection he referred to the Conciliation Officer's letter dated 26-10-79 (Ex. M-31), whereby the latter drawn attention of the Federation to the fact that the notice dated 22-10-79 (Ex. M-28) is not in the proper form and advised that if the Federation was serious about going on strike, it should issue fresh notice in the appropriate form. Shri Subramaiyam argues that when the Conciliation Officer himself does not treat the notice as effective, the action that he took subsequent to that notice cannot legitimately be treated as conciliation proceedings, as contemplated by section 22(1)(d).

13. I have given my serious thought to the rival contentions of the two sides. I am clear that the Bank's objection will have to be upheld on both counts regarding non-compliance of section 22(1)(b) and (d). While I do not feel any difficulty in accepting the submission of Shri Subramaiyam that a strike notice need not necessarily be strictly in the terminology of form L in every case, and that it would be enough if the notice substantially complied with the requirements of that form, I cannot persuade myself to endorse his further assertion that the provisions of section 22(1)(b) and (d) are also not mandatory. Ex. M-28 is the letter dated 22-10-79 relied upon by the Federation as strike notice. On going through it, I am satisfied that it substantially fulfils the requirements of Rule 71 and form L. This however can be of little consolation to the Workmen. Section 22(1)(b) peremptorily requires that clear 14 days must elapse between the date of the giving of notice and the commencement of the strike. In other words, while computing this period of 14 days, the date of giving of the notice (22-10-79), and the date of the commencement of the strike (5-11-79) will have to be excluded. Thus we are left with 13 clear days only in between. It follows that the statutory period of notice falls short by one day.

14. Even on the assumption most favourable to the Workmen, only one day intervenes between the failure of the conciliation proceedings and the date of the commencement of the strike. Thus I must hold that the strike notice does not comply with the requirements of section 22(1)(b) and (d). I must reject Shri Subramaiyam's contention that the proceedings before the Conciliation Officer cannot be validly termed as 'conciliation proceedings'. The first part of the Section 12(1) provides that where any industrial dispute exists or is apprehended, the Conciliation Officer may hold conciliation proceedings in the prescribed manner. Here even assuming that the notice dated 22-10-79 was not est, he had enough jurisdiction under the above provision to commence the conciliation proceedings. Shri Subramaiyam feebly suggested that all discretionary actions of public officers have no force in the eye of Law and as Conciliation Officers action under the first part of section 12(1) is discretionary, it does not exist in the eye of Law. The proposition is obviously wrong. The Conciliation Officer had thus commenced effective conciliation proceedings which stood concluded on 3-11-79. The strike that commenced on 5-11-79 was thus in contravention of the provisions of section 22(1)(b) and (d). I find accordingly. Before leav-

at this point, I must also record that there is no material on record to hold that the Conciliation Officer did not play any active role of a conciliator, except calling the parties to the negotiating table.

15. Now I take up the second branch of the question, namely whether the Management had declared a partial lockout from the middle of October 1979 and a full one month with effect from 2-11-79. The Federation have filed the affidavits of responsible officers of the local Unions to the effect that in the middle of October 1979, the Bank partially withdrew customers' services by putting up notices to that effect and that they virtually stopped these services altogether with effect from 2nd November 1979. There is evidence to this effect of Savinay Roy Ex. WW-1 of Calcutta, Prabbakar Ex. WW-2 of Bangalore, Samant Ex. WW-3 of Bombay, Ayya Swamy Ex. WW-4 from Madras, Premgupta Ex. WW-5 from Delhi and Jagdishchandra Ex. WW-6 from Kanpur, Shri Subramaniam who is General Secretary of the Federation has also filed his affidavit. The Bank has not examined any witness in rebuttal. It relies on certain admissions of the Workmen's aforesaid witnesses in their cross-examination and on the general circumstances of the case.

16. The Bank's case is that they did publish certain notices in the newspapers informing their customers about the strike of the Workmen. Shri Krishnamurthy urges that this was done with the object of fore warning their customers, so that they could withdraw cash from the Bank, if they so desired. The ultimate object was to mitigate the inconvenience that would necessarily result from the materialisation of the impending strike.

17. None of the witnesses examined by the Federation asserts that the Bank had prevented any Workman from attending to his work in the Bank at any time prior to the actual commencement of the strike. In fact there are admissions of almost all witnesses that the Workmen stopped attending to their work voluntarily from 5-11-79, as they had struck work. It is also admitted by them that the Workmen continued to work right upto 3-11-79. 4-11-79 was a Sunday and closed holiday for the Bank. Thus the Workmen worked right upto the close of the business on 3-11-79. This was true even in respect of Calcutta Branch where, as Roy's evidence shows, the Workmen had gone on token strike on as many as eight working days during the period 25th September 1979 to 27th October 1979; see paragraph 29 and 30 of his cross-examination. Indeed Samant has been fair enough to admit in his cross-examination that the question of Bank's refusal to give work to the Workmen did not simply arise, because they had voluntarily gone on strike.

18. It has also come in the cross-examination of the Federation's witnesses that in their long correspondence following the strike, with the Bank and/or the Conciliation Officer, the Federation had never raised the question of the lock-out. There is also evidence to the effect that no sooner than the Delhi Union had called off the strike with effect from 28-1-80 with the Federation following suit on 5-2-80, the Bank permitted the Workmen to resume their work forthwith. The evidence on record thus clearly shows that the Bank had not declared a lockout-partial or otherwise--in any of its branches in India at any time preceding, co-terminous with or following the strike period. The question of the lockout being illegal or not, therefore, does not arise. Eventually it is not open to the Workmen to plead that their strike must be deemed to be legal under section 24(3), because it was declared in consequence of any lockout by the Management.

19. The result of the above discussions is that it must be held that the strike of the Workmen from 5-11-79 to 4-2-80 was not legal, because of noncompliance of the provision of clauses (b) and (d) of section 22. Point Nos. 2 and 3 are answered in the negative. Point No. 4 does not arise for consideration.

20. Point No. 5. - Shri Krishnamurthy for the Bank has advanced a two-pronged submission on this issue. In the first place, his contention is that the subject matter of the Reference restricts the adjudication only to the question whether the strike is legal and that the Tribunal gets jurisdiction to adjudicate upon the second part of the Reference (relating to reliefs), only if the answer of the

first part is that the strike was legal. In case the Tribunal concludes that the strike is not legal—as it has found on merits. Shri Krishnamurthy argues, the Tribunal has no power to go to the second part of the Reference. The second branch of his attack is that even if the scope of the Reference is held to be wide enough to adjudicate, upon the aspect of 'justifiability' of the strike (in addition to its 'legality'), under the Law as enunciated by the Supreme Court, a strike which is not legal can never be treated as justifiable, and as such once the Tribunal holds that the strike is illegal, it must automatically follow that it is unjustified and even the second part of the Reference must be answered against the Workmen on that basis.

21. I shall first take up the first branch of the submission, which is based on section 10(4) of the Act. The text of the Reference is given in the opening paragraph of this Award. It is true that in the first part, there is reference only to the 'legality' aspect and there is no express mention of 'justifiability' of the strike. Shri Krishnamurthy has drawn my attention to the Supreme Court decision reported in 1967 1 L.J. 423 Delhi Cloth and General Mills Company Ltd. Vs. Their Workmen and others. As ruled in that case, the proposition is well settled that while it is open to the appropriate Government to refer the dispute or any matter connected therewith for adjudication, the Tribunal must confine its adjudication to the points of dispute referred to and matters incidental thereto. In other words the Tribunal is not free to enlarge the scope of the dispute referred to it but must confine its attention to the points specifically mentioned and anything which is incidental thereto. That is the plain consequence of the provisions in sub-section 1(c) and (d) and sub-section (4) of section 10 of the Act. While giving effect to Section 10(4), the Tribunal must also attempt to construe the order of reference not too technically or in a pedantic manner, but fairly and reasonably. Indeed it is the duty of the Tribunal to find out what was the real dispute which was referred to it and to decide it and not to throw it away on a mere technicality.

22. Now in the present case, as will be seen from what follows in paras 43 to 45 infra, the pith of the malady was that the Workmen harboured the grievance that the Bank was bent on introducing automation on a grand scale without safeguarding their legitimate interests and denying to them the benefits of Lunch Allowance, Additional Allowance, House Loan, Canteen Subsidy and Bonus on par with other Foreign Banks. The Bank all along struck to its Guns and was averse to reaching a fair resolution of the problem. It cannot be denied for a moment that the Workmen did honestly feel that the Bank was giving them a raw deal, and this eventually culminated in their striking work. The question of justification of the strike, apart from its legality, has been of focal importance at all material stages. I cannot turn a Nelson's eye to that aspect, merely because in the cryptic drafting of the Reference, it does not find express mention. Even otherwise, could the second part of the Reference be decided de hors the aspect of justifiability of the strike, assuming the strike was legal? The answer is a plain 'No'. Even according to Shri Krishnamurthy, the Workmen, in order to entitle them to wages and/or other reliefs, must justify the strike, in addition to proving that it was legal. As I am holding in para 37 infra, Workmen may be entitled to relief in proper situations, if the strike is justified, notwithstanding that technically it may not be in complete accord with the provisions of section 22(1)(b) or (d) of the Act. Thus viewed from any angle, the question of grant of any relief by way of wages or otherwise is indissolubly linked with the justifiability of the strike. The Tribunal would be acting too technically were it to reject the Reference on the mere ground that it does not contemplate any consideration of the question of justifiability of the strike.

23. Before leaving this point, I may refer to the Hindi version of the reference, in which is employed the term 'प्रमाणित' meaning 'justified' as an equivalent of the term 'legal' in the English version. I would make it clear that I am not treating the Hindi version as authori-

tative, and that my finding would have been the same, even if the term 'legal' had been correctly translated as 'विधि-मूल' or 'विधि'.

24. I now take up the crucial question whether in a case where a strike is found to be illegal and there is no lock-out on the part of the Management, it is not at all open to the Workmen under any circumstances to plead and prove that their strike was justified and on that basis claim wages for the strike period, either in full or partially, according to the circumstances of the case. According to Shri Krishnamurthy once a Court/Tribunal holds that a particular strike is illegal, it is not open to it to further hold that the strike is justifiable, although illegal. This, he urges, is a contradiction in terms. He argues that the general principle, "No work, No pay" will apply in such a situation. He has stressed the aspect that there is not a single precedent of the Supreme Court, where relief by way of wages was granted for the strike period, on the basis that the strike though illegal was justified. He points out that whenever wages were granted in cases involving illegal strikes, there was invariably a lock-out declared by the Management subsequent to the strike. Initiation or continuation of which was found to be unjustified. Even in such cases, Shri Krishnamurthy maintains, wages were allowed for the period of the lock-out only and not the period of strike. In the present case, as I have already found above, there was no lock-out by the Bank and the strike was illegal. In these premises, concludes Shri Krishnamurthy, it is not open to the workmen to contend and for the tribunal to hold that the strike was justified and, therefore, the Workmen were entitled to relief by way of wages. He relies principally on the Supreme Court decisions reported in 1960 I L.J. 13 Indian General Navigation and Railway Company and their Workmen; 1963 I L.J. 122 Indian Marine Service (Pvt.) and their workmen and 1990 II L.J. 39 Bank of India Vs. T. S. Keluwalla.

25. As against this, Shri Subramanian, who appears for the Federation and whose submissions have been adopted by the Association as well, fairly concedes that in most of the cases that came before the Supreme Court, lockout had followed the Workmen's strike and that wherever wages—full or partial—were granted to the Workmen (notwithstanding that the strike was illegal), it was on the premises that the initiation or continuation of the lock-out was held to be unjustified, where the Court having expressly found a strike to be illegal but justified, has refused wages on the sole ground of illegality of the strike. According to him, the question raised is not *Rus Integra* and invites this Tribunal to decide the question on first principles. Shri Subramanian relies on 1980 I L.J. 137 Gujarat Steel Tubes and their Workmen in which 1960 I L.J. 13 was explained, 1976 I L.J. 484 The Statesman Ltd. and their Workmen and 1978 II L.J. 80 Crompton Greaves Ltd. and their Workmen.

26. I have given my anxious thought and consideration to the submissions of both sides. I have however no pretence to conceal my hesitation about the correctness of my view that in a given case may be of rarest occurrence—it is quite possible that a strike, although technically illegal in that it infringes some statutory provision, may be found to be justified on the facts and circumstances of the particular case and that in such a situation it will be open to the Tribunal to grant appropriate relief by way of remuneration or otherwise, notwithstanding that the Management has not declared any lockout. I proceed to give my reasons for this view.

27. In 1960 I L.J. 13 Indian General Navigation and Railway Company Ltd. and their Workmen, a 3-Judge Bench of the Supreme Court held that a strike in respect of a public utility service which was clearly illegal, could not at the same time be characterised as "perfectly justified", and that these two conclusions could not in law coexist. The question arose in the context of the Management's action of dismissing a number of Workmen whole-sale without holding any inquiry, because they had taken part in an illegal strike. While dealing with the Industrial Tribunal finding that the strike, although illegal, was 'perfectly justified', the Supreme Court made the above observations and also on a detailed consideration of the evidence, held

that the strike was not justified on facts too. In short the strike was found to be both illegal and unjustified. Having done that the Court further proceeded, so far as the quantum of punishment was concerned, to distinguish between the cases of 'peaceful strikers' and 'violent strikers'. For the former category, the Court ruled that dismissal was unjustified and directed their re-instatement, with half wages. I must however take note of the fact that these half wages were directed to be paid from the date of the cessation of the strike.

28. A 3-Judge Bench of the Supreme Court had in a later decision reported in 1980 I L.J. 137 Gujarat Steel Tubes and their workmen, occasion to consider the question whether an illegal strike is per se unjustified. In para 130 of the judgement, the Bench had to say this about the aforesaid decision :

"In India General Navigation and Railway Co. Ltd. v. Their Workmen, this Court did observe that if a strike is illegal, it cannot be called 'perfectly justified'. But between 'perfectly justified' and 'unjustified' the neighbourhood is distant. Here illegality of the strike does not per se spell unjustifiability. For, in V. Crompton Greaves Ltd. v. Workmen this Court held that even if a strike be illegal, it cannot be castigated as unjustified, unless the reasons for it are entirely perverse or unreasonable—an aspect which has to be decided on the facts and circumstances of each case. In that decision, this Court awarded wages during the strike period because the Management failed to prove that the workmen resorted to force and violence. Even in Indian General Navigation and Railway Co. Ltd. (supra) where the strike was illegal and affected a public utility service, this Court observed that "the only question of practical importance which may arise in the case of an illegal strike, would be the kind or quantum of punishment, and that, of course, has to be modulated in accordance with the facts and circumstances of each case."

The Court has explained that what was held in substance in 1960 I L.J. 13 (cited supra) is that an illegal strike cannot be treated as 'perfectly justified', although it could be treated as justified for some purposes, for example in disciplinary matters.

29. 1963 I L.J. 122 India Marine Service (Private) Ltd. and their Workmen, was a case, where the one day strike was adjudged to be unjustified, followed by a lockout initiation of which was found to be justified, but continuation unjustified. In the situation, the 3-Judge Bench felt that it was a case for apportionment of blame and allowed Workmen half wages for the period of lockout, although the strike was unjustified. It is worthwhile to note that while laying down the norms for grant of wages during the periods of strike and lockouts, the Supreme Court has given weight to their eventual justifiability as such, there is no reference to legality of these events per se.

30. In 1990 II L.J. 39 Bank of India Vs. T. S. Keluwalla, the question that arose before a two-Judge Bench of the Supreme Court was whether Workmen of a Bank who went on strike for a portion of a day—the hours being most crucial for the Banking transactions—and resumed their seats in the later hours, were liable for loss of their full day's wages. In that context, the Supreme Court ruled that the Management had a right to deduct the wages for the whole day and the questions whether the strike was legal, or illegal or justified or unjustified did not simply arise. In that context the observation was made that a legal strike being a legitimate weapon of collective bargaining, should not be confused with the Workmen's liability to deduction of wages, following absence from work even on account of a legal strike. I do not think the Ruling lays down any general proposition that under no circumstance whatever, Workmen are entitled to claim wages for the period of strike.

31. Now I go to the Rulings cited for the Workmen. In 1976 I L.J. 484 The Statesman Ltd. and their Workmen again a 3-Judge Bench allowed half wages for the period of strike and lock-out, after holding that the one day strike

on 20-9-66 was illegal, but justified and that the lockout which was immediately clamped from the midnight of 20/21st September 1966 was unjustified, although technically legal. This is thus an authority for the proposition that even in the case of an illegal strike, wages can be granted to the Workmen, provided of course the Management have also contributed to the blame. I am again taking note of the fact that the strike was followed by a lockout which though initially legal had turned out to be unjustified, on being continued without any justification.

32. In 1978 II LLJ, 80 Crompton Greaves Ltd. and their Workmen, where the Workmen's right to wages during a justified (it was legal also) strike is clearly upheld. This particular Ruling which is also handed down by a two-Judge Bench is not referred to in Kelawala's case. I am relying on this decision for the limited purpose that at least in a case of a legal as well as justified strike, wages can be legitimately granted to Workmen, although the strike is not preceded, accompanied or followed by a lockout.

33. In sum, I do not think that Kelawala's case gives absolute immunity to the Management from the liability to pay wages to their workmen during the period of every strike, without any regard to its legality or justification. The general principle of "No Work, no pay", seriously relied upon by the Bank all through its dealings with the Federation and also strenuously advocated before the Tribunal, has always operated and will continue to operate subject to just exceptions. Further I find substance in the submissions of Sri Subramanian, which I have summarised in para 25 Supra. There is no express Ruling of the Supreme Court either way on the question whether a strike which is technically illegal as infringing some statutory provisions, but is otherwise justifiable on facts, can render the Management liable for wages, although it is not linked to any lockout. This question will have to be decided on first principles, which I proceed to do.

34. To repeat, the Rule "No work, no pay" is not of universal operation in the sense that it has no just exceptions. We have already seen that where a strike is legal and justified, the Workmen are entitled to full wages : 1978 II LLJ, 80 Crompton Greaves Ltd. and their Workmen. Then even where a strike is initially illegal or unjustified, but if it is followed by an unjustified lockout (although technically 'legal'), the Workmen are entitled to some percentage of wages, depending on the facts of the particular case. Indeed one exception is recognised even by statute under section 24(3) of the Act, which inter alia provides that a strike declared in consequence of an illegal lockout will not be deemed as illegal. The object of carving out just exceptions to the general Rule, "No work, no pay", is obviously to promote social justice in general and industrial harmony in particular—promotion of social justice which is conferred a place of pride in Articles 38, 39, 39-A, 41, 42, 43, 43-A of the Directive Principles of State Policy and other Constitutional provisions. The Rule "No work, no pay" has no doubt its place in Industrial Jurisprudence; but it certainly must not work to demote social justice.

35. Now the question may be viewed from a bit different angle. If the supervention of a contingency like an unjustified lockout is legitimately treated as enough justification for grant of some relief to Workmen who had initially commenced a 'not legal' strike, can there not exist exigencies other than "lock-out", which may also throw up qualitatively equally valid justification for grant of relief to the Workmen? I may cite just one example, which albeit an extreme one, is not impossible of occurrence in actual life. Suppose in a public utility concern, there are female Workmen in a substantial number, along with male Workmen. A male Supervisor joins the undertaking and starts indulging in gross sexual harassment of the Women Workers. All Workmen in the undertaking—male as well as female—go on a flash strike, without following the mandatory provisions of section 22 of the Act. In order to teach a lesson to the Workmen the Management do not take any corrective action, nor do they declare a lockout. And the strike goes on for an unduly long time—say 2 months. Ultimately the workers relent and resume work. What does justice fairplay and good conscience demand and ordain in the situation? Outright refusal of any relief by way of wages, because the strike is clearly illegal and is not followed by a lock-out? or grant of some relief to the Workmen,

because the strike although legalistically 'illegal', is justified? I would have no hesitation to adopt the second course.

36. Examples can be easily multiplied, but I do not unnecessarily wish to add to the length of this Award. In my humble opinion, the question whether the Workmen are entitled to any relief would depend on the facts of the particular case. I must however enter a caveat, that the adjudicating machinery should not be too ready to treat an illegal strike as justified. Such cases would be pretty rare. I do not think, the supervention of a lockout is a sine qua non in every case to the grant of relief to Workmen who have embarked upon an illegal strike.

37. In the result I hold that it is open in the present case to the Workmen to show that their strike was justified. It will be for this Tribunal to consider all the circumstances of the case and grant relief to the Workmen, if a clear case is made out that the Bank has been unjust to them. This point is answered accordingly.

38. Point No. 6.—Ex. 1-63 is the second part of the Award passed by the National Industrial Tribunal, Bombay (presided over by Dr. Justice Tulpule) on 29-8-85 in NTB-2/80. By an order dated 12-2-80, the Central Government had referred the following industrial disputes between the Bank and its Workmen for adjudication :

- (1) "Whether the demands of the workmen of Grindlays Bank Ltd. for increase in the quantum of existing additional allowance, lunch allowance, canteen subsidy and housing loan are justified? If so, to what extent and from which date?"
- (2) "Whether the demand of the workmen of Grindlays Bank Limited for higher quantum of bonus than what has been paid and/or offered by the management for the accounting years commencing in 1976 and onwards is justified? If so, what extent and for which accounting years?"
- (3) "Whether there is any scope for further extension of mechanisation in offices and branches of Grindlays Bank Ltd. in India? If so to what extent and with what conditions, if any?"

39. The Workmen's demand for Bonus was rejected by Dr. Tulpule by his Award dated 26-3-85. By the second part of the Award dated 29-8-85, Dr. Tulpule approved of a project plan filed by the Bank before the Tribunal for further extension of mechanisation. It is worthwhile to note that this approval was subject to a number of conditions, which the learned Judge has enumerated in para 120 of the Award. These conditions were :

- (1) That there shall be no re-enchantment from workmen staff.
- (2) Present staff strength, namely of workmen staff or award staff, shall be quantumwise retained and its strength frozen. That does not however mean that at any given point of time, it shall not be allowed to go down. That is clearly not practically possible, but there should not be non-filling of vacancies in the present staff strength.
- (3) The workmen (award staff) should not be transferred as a result of being rendered surplus or unavailable for the new available jobs out of the two or city, except with their consent.
- (4) New Jobs should be offered firstly to the staff centrewise and area-wise preferably in the first instance. Such jobs may be made available to others, if the necessary number of applicants from the centre are not forthcoming. As to what should be the quantum of additional allowance in case of new jobs, shall as far as possible be mutually decided between the union and the bank and failing agreement between the concerned workmen and the bank, and where such allowance is not covered by the awards in existence in banking industry by arbitration or adjudication.

- (5) The bank shall not, where there is no competing foreign banks at its branches at Amritsar, Banga

lore, Darjeeling, Gauhati, Hyderabad, Kanpur Simla, Srinagar and Tuticorin, as far as possible, unless it affects the project plan of the bank automate there small branches. The bank may however, instead have them hooked on to a computer at other places, if necessary, and use only a terminal at these branches.

- (6) The Bank should introduce and consider the feasibility of introducing a voluntary scheme for retirement by the workmen who choose not to take up the new jobs which are offered and for which the bank considers them as incapable or unsuitable. Such a scheme should as far as possible be devised with the consensus of the unions representing the workmen."

40. The questions relating to the Lunch Allowance, Additional Allowance, Canteen Subsidy and Housing Loan are dealt with in paragraphs 121, 122 and 123 of the second part of the Award. It will be seen that the Bank had not made any upward revision in any of these items since 1970, although admittedly it has adequate paying capacity. No other Foreign Banks had made two revisions between 1970 and 1980. The stand of the Bank all along was that it was unjust to compare it with other Foreign Banks. According to it, it was comparable only with nationalised Banks placed in Class A, and inasmuch as it was paying better perks to its workmen than these 'A' class Banks, it was unfair to require it to pay more, on par with other Foreign Banks. A perusal of part II of Dr. Tulpule's Award, in particular para 7, will show that the Bank was compelled to give up the stand that it should not be treated on par with Foreign Banks, only after March, 1985, when the advantage dawned on it in claiming parity with Foreign Banks. It appears that a settlement was signed on 8-2-83 between the Indian Bank's Association and the All India Bank Employees Association, whereunder the Foreign Banks were entitled to increase mechanisation vis-a-vis Indian Banks under the Bipartite settlement of 1966. To enable itself to claim this additional benefit, the Bank eventually conceded before Dr. Tulpule that the Tribunal may tag it with other Foreign Banks under an independent classification. I must take note of the position that the Bank was quite adamant in its earlier stand to the contrary right till March, 1985 from 1970.

41. Paragraph 123 of part II Award shows that the National Tribunal granted two increases to the Banks Workmen with effect from 1-4-78 and 1-4-81, so far as Lunch Allowance, Additional Allowance and Canteen Subsidy were concerned. It also substantially increased the ceiling on the amounts of the House Loans with effect from 1-4-80. In view of the peculiar nature of this benefit, it would not have been practical to give two hikes, as in the case of other three aforesaid items. This Dr. Tulpule has expressly mentioned in his Award.

42. Part I of the Award handed down on 26-3-85 is at the end of Ex. M-76 collective). Its perusal will show that the question about Bonus was being agitated by the Workmen right since 1956 or so. Upto 1964, the dispute was being resolved in an ad-hoc basis every year. The claim to Bonus was rejected by Dr. Tulpule on the ground that the Workmen were being paid bonus according to the provisions of the Bonus Act, and that they were not entitled to any higher amount on this count although other Foreign Banks were paying more. It appears that the proposition of treatment of the Bank on par with other Foreign Banks had not been conceded by the Bank before the passing of Part I Award, and as such the question of grant of Bonus on that basis did not come to be considered by the Tribunal.

43. On going through both parts of Dr. Tulpule's Award, it is crystal clear that the Workmen had been clamouring for their demands since before 1970, on the ground that like other Foreign Banks, the Grindlays Bank should also improve upon the benefits and that the Bank had been persistently and consistently declining to consider their demands on that basis. It is also evident that the Bank always insisted on linking consideration of the Workmen's demands

irrespective of whether or not they were just on their individual merits with its own demand of mechanisation. That the Workmen's apprehensions about extension of mechanisation were genuine, is squarely made out by the imposition of conditions by Dr. Tulpule. Considered as a whole, Dr. Tulpule's Award, by itself, vindicates the stand of the Workmen that their demands were justified. Indeed, Dr. Tulpule granted them substantial reliefs.

44. The parties have filed copies of correspondence that had taken place between them for almost a decade before the strike. I have been taken through it in detail. It vividly bears out two aspects. In the first place, the Workmen's stand had been consistent right since the beginning that the Bank should allow them favourable terms on Lunch Allowance, Additional Allowance, Canteen Subsidy, House Loan and Bonus on par with other Foreign Banks. The Bank which leads the Foreign Banks in India vide observations of Dr. Tulpule in second part of his Award—was adamant in denying the legitimacy of this stand right till after March 1985, when it reluctantly relented before the Tribunal in order to gain for itself higher benefits related to the extended mechanisation. The second aspect is that the Bank wanted that the settlement of demands of the Workmen and its own demand relating to extended mechanisation, should form a package deal. This stiff attitude of the Bank ultimately led to the generation of avoidable strain in its relations with the Workmen and their frustration. The workers took to agitation, while the Bank under the garb of maintaining discipline, went to the extent of de-recognition the Bombay unit of the Federation. The industrial relations touched such a low in the year 1975 that the Labour Minister at the Centre was required to intervene and advise both sides. In view of what I have said above about Dr. Tulpule's Award, I do not think it necessary to undertake a detailed discussion of all the lengthy correspondence filed before me. I shall restrict myself only to important missives.

45. Ex. F-11 is a letter dated 14-10-71 from the Federation to the Bank. It appears that a meeting had taken place between the representatives of the two sides at Madras to discuss pending issues. In their letter the Federation repeated its grievance about the Bank's linking their demands with its own and further expressed their inability to reveal their (Federation's) reaction to the extension of mechanisation, unless concrete proposals were formulated by the Bank on their project. Such a difficulty was experienced by Dr. Tulpule also in the Reference and eventually the Bank had to produce their project plan, on the basis of which conditional approval was accorded by the Tribunal. The reply of the Bank dated 20-10-1977 (Ex. F-12), particularly the underlined portion, vividly reflects their overall stiff approach:

"We were amazed to read the contents of your letter dated 14th October, 1977.

In the name of correspondence you can hardly expect us to make negotiations difficult for ourselves. We are, therefore, refraining from commenting on the contents of your letter although we do not admit and/or accept many of the allegations and statements made by you therein.

Time and again—in the course of correspondence as well as in the course of discussions—we have made it clear by you that the discussions on your demand are being held with a view to arriving at a package deal on a quid pro quo basis which will not only mean your having to comply with our requirements but also having to give up some of your demands which are contradictory to our requirements.

All of a sudden you have to expressed your unwillingness to accept our requirements even before they are discussed. This attitude of yours will, in our opinion, be the real obstacle in the way of arriving at a settlement on your charter of demands

We are at a loss to know as to how there can be purposeful discussions on your demands in the face of your unwillingness to discuss and accept our demand and your threat of protest actions."

46. Ex. F-14 is the letter dated 1-11-71 from the Bank to the Federation Bombay Unit, whereby the letter's recognition was withdrawn. The Bank alleged that this action has been taken because "we are not prepared to tolerate irresponsible acts of intimidation, indiscipline and coercion". In absence of any material, I am not able to hold either way whether this action of the Bank was right or wrong. What I am perplexed to know is that the derecognition remained effective for over 7 years till 27-12-78 on which date a settlement (Ex. F-15) was arrived at between the Federation and the Bank. Meanwhile the Bank had declined to discuss any matters with the Federation on the ground that the office-holders of its Bombay unit were appointed by the Federation as their representatives. It may also be noted that the settlement came off, only after the Federation had issued a strike notice. Now while I do not consider myself competent to advise the Bank on matters relating to discipline, I cannot help feeling that the Bank could have adopted a more flexible, humane and practical approach, without serious jeopardy to the legitimate considerations of discipline. Three days after the settlement, that is on 28-12-78, the Regional Director of the Bank discloses his reaction to the settlement and the future approach of the Bank in his letter to the offices (Ex. F-25) in the following words:

"Dear Colleague,

As you must be aware in terms of a settlement dated 27th December 1978, we have obtained from the Federation the assurance we have all along sought for the responsible behaviour of the Bombay Union and have re-recognised that Union. This has enabled us to be in communication with the Federation which we were unable to do ever since the election of the General Secretary of the then derecognised Bombay Union as the General Secretary of the Federation.

While I am delighted that we are now in communication with the Federation, I must emphasise that this Bank continues to adhere to the concepts of:

1. no interference by the Federation or any of the Unions in Management's basic responsibility to manage;
2. a full day's work for a full day's pay which means "no work, no pay";
3. disciplined behaviour at all staff levels, and
4. efficient, prompt and courteous service to customers.

Sometime next month, the Personnel Director and his team will start discussions with the Federation on the Federation's various demands. This will mean some hard bargaining as clearly we shall be seeking substantive quid pro quo. At this moment we have only made a good start and no more than that.

The remarkable contribution to our success by all members of the management staff is something which has impressed me deeply since I have been in India. We must ensure that we continue to maintain high standards of disciplined behaviour and productivity and I am counting on your support in achieving these objectives."

47. The letter throws good light on the Management's mentality towards its workmen. One does get the impression that the Management has never harboured very friendly feelings for its workmen.

48. After considering the documentary evidence in its entirety, I have no doubt that the Management had been quite

unreasonable in refusing to settle disputes with the Workmen on a fair and just basis. The Workmen were left with no alternative, but to resort to strike. It is true that the strike notice fell short of the statutory requirement by one day. But even if the Workmen had started the strike on 6th November, 1979 or any other subsequent day, there would have been no qualitative difference in the ultimate scenario. The reference of the dispute to the National Industrial Tribunal came off only on 12-2-80, that is about 4 months after the strike notice. In the circumstances, I must hold that the Workmen's strike was justified.

49. Point No. 7 : I pause here to consider the exceptional circumstances prevailing in Calcutta before and during the service. The grievance of the Bank is that there some of the striking Workmen assaulted three of their Officers who had gone to the General Post Office to collect mail. This incident appears to have taken place on or about 12-11-79 during the period of the strike. The Management had filed a suit during the pendency of the strike on the original side of the Calcutta High Court. Mrs. Justice Padma Khastgir passed an order dated 15-11-79, inter alia giving the following directions to the Commissioner of Police Calcutta:

1. Mr. Pal submits that some officers of the plaintiff Bank went to the G.P.O. to collect postal mails where they have been assaulted by their employees and thereafter a complaint was lodged with the police authorities in respect of the same and the Bank asked for police protection.
2. The plaintiff bank is given liberty to take any disciplinary action against its employees for their misconduct which are not covered by the pending application.
3. The Commissioner of Police Calcutta is directed forthwith to post 4 constables with two sergeants Sub-Inspectors of Police at all the 18 branches of the plaintiff Bank at plaintiff Bank's costs and to see that the entrance doors of the Bank's branches are opened and that the officers, managerial and supervisory staff of the Bank are allowed free ingress into and egress from the respective branches and to work therein and to see that the previous orders passed by this Court are implemented and/or given effect to and no physical assault and/or violence and/or threat or intimidation or any other activities by the order of injunction passed earlier take place. The police authorities are directed also to take such measures as are necessary for protection and safety of the person and life of the officers, managerial and supervisory staff including customers and callers of the bank and bank's property. The Police authorities are also directed to render all assistance to the plaintiff and/or its automobile mechanics to remove the vehicle No WMA-5291 lying on Koilaghat Street near G.P.O. Calcutta or wherever lying, to the garage/service station of plaintiff's choice."

50. These directions speak for themselves. It is obvious that some of the striking Workmen had manhandled and assaulted three officers of the Bank Ex. M-53 is a compilation of various Court proceedings filed by the Bank against its various employees working in its Calcutta Branches. It shows that the Bank was required to file a number of proceedings on the criminal as well as civil side in different Courts at Calcutta on the allegations that the Workmen had indulged in violence against the Management staff of the Bank. Such proceedings have been going on since 1977. I am aware that the Bank has not examined any witness on this point. However, the documents produced afford more than enough material to justify an inference that the Bank employees at Calcutta had indulged in violence and rowdy behaviour before and during the strike.

51. Subinoy Roy Ex. WW-1 who is General Secretary of the Calcutta Union has stated in para 24 of his cross-examination that if there is a strike in any Calcutta Bank, a common feature is that the Management staff does not enter the establishment premises. According to him, the

officers do not enter the Building, because the Workmen persuade them not to do so. It is difficult to swallow this explanation of Roy. I am satisfied that the Workmen at Calcutta had indulged in violence towards the officers during the strike period. Thus so far as Calcutta Branches are concerned, I hold that although the strike was initially justified, it became unjustified later on account of the violence indulged in by some Workmen. At other places in India, I hold, the strike remained justified and peaceful throughout its duration.

52. Now coming to the reliefs the Workmen may be entitled to, I would say that Shri Subramanian did not at the arguments stage press for any relief, except wages for the duration of the strike. The Workmen at Calcutta would not be entitled to any wages, because of their indulgence in violence. I appreciate that most of the Workmen there might not have indulged in violence. However in a such a situation, the identity of the actual culprits would be hardly relevant. The employees at Calcutta will not accordingly get any wages for the strike period.

53. So far as the Workmen at other places are concerned I would have granted them full wages for the strike period, had the strike notice fully complied with section 22(1)(b) of the Act. In view of the small technical flaws, the notice has become illegal. All the same, because the strike at these place was justified, I propose to grant half wages for the strike period. Normally I would have granted Workmen their costs, if the strike notice was legal. However in view of the uncertain legal position, I leave the parties to bear their costs as incurred. I make the following Award:

54. The strike in question is held to be not legal, not being in conformity with section 22(1)(b) and (d) of the Industrial Disputes Act. It is however found to be justified. The Workmen shall be entitled to get half wages for the strike period at all places, except Calcutta. The Workmen at Calcutta will not be entitled to any wages, as the strike there was not peaceful. The Bank is directed to pay the Workmen's dues on or before 31-1-92. Parties shall bear their costs of this Reference, as incurred.

S. N. KHATRI, Presiding Officer
[No. L-12011/266/88-D-1. 111(B)]

नई दिल्ली, 13 नवम्बर, 1991

का. आ. 3033.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नई दिल्ली के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-11-91 को प्राप्त हुआ था।

New Delhi, the 13th November, 1991

S.O. 3033.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, New Delhi as shown in the Annexure, in the industrial dispute between the employers in relation to the management of State Bank of India and their workmen, which was received by the Central Government on the 12-11-91.

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER, CENTRAL GOVT. INDUSTRIAL TRIBUNAL, NEW DELHI

I.D. No. 23/91

— In the matter of dispute :

BETWEEN

Shri Mohan Lal Sharma,
as presented by the President,
State Bank of India Staff Association,
2124/2, Harisingh Nalwa Street, No. 58,
Kartol Bagh, New Delhi-110005.

Versus

State Bank of India,
through the General Manager (Operations),
State Bank of India,
11, Sansad Marg,
New Delhi-110001.

APPEARANCES :—

Shri P. P. Trikha—for the workman.

Shri B. R. Naidu—for the management.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-12012/244/90-I.R. (R-3) dated 28th February, 1991 has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the action of the General Manager (Operations), State Bank of India in relation to their Chandni Chowk Branch in discharging the services of Shri Mohan Lal Sharma, Record Keeper w.e.f. 26-6-1985 is justified ? If not, to what relief the workman concerned is entitled ?"

2. Brief facts of the case as stated in the statement of claim are that the workman was working as Record Keeper at Chandni Chowk branch of the bank. The Chief Manager of Chandni Chowk branch issued a letter of charge sheet dated 4-4-84 to the workman which runs as follows :—

"(a) On the 18th October, 1982, you accepted a sum of Rs. 101. (Rupees one hundred one only) from Shri Hari Singh who intended to open a recurring deposit amount on plea that you have been given a quota to bring 25 Recurring Deposit Accounts to Branch book. But the same was not accounted for in the Branch book. On 21st October, 1983, you handed over to Shri Singh a pass Book have account No. 5183/28 showing a credit balance of Rs. 100 instead of Rs. 101 with two credit entries of Rs. 50 each without mentioning any date of credit.

(b) On 29-10-83, when depositor called at this office and you were called by the undersigned at about 12.00 noon for making enquiry in this regard, you slipped away from the office around the same time. You have thus tarnished the Bank's image and have cheated the general public.

The workman was directed by the Chief Manager to tender his explanation and he denied the charges. Without considering the explanation tendered the Disciplinary Authority ordered a departmental enquiry in the matter and the enquiry was conducted against all norms and in utter disregard to the principles of natural justice. The workman was held guilty of the charges.

3. After receipt of the enquiry report the Chief Manager informed the workman that dismissal was proposed as the punishment and asked the workman to show cause as to why the said punishment be not inflicted on him.

4. In reply to the letter dated 7-5-85 the workman once again denied the charges and requested for personal hearing to him. The said personal hearing was granted but was informed that there was no reason to alter the proposed punishment. The workman moved personally to the General Manager and the General Manager vide his order dated 29-11-85 converted the dismissal order into discharge w.e.f. 24-6-85 and it was also ordered that the workman should not be paid salary and allowances except what he has already been paid during the period of his suspension.

5. The said order of the Appellate Authority was void and illegal and he then moved the Labour Authorities and thereafter the case was referred by the Ministry of Labour to this Tribunal for decision.

6. The Management in reply to the statement of claim alleged that the order passed by the authorities were legal and fully justified. There was no illegality in the conduct of the enquiry against the workman and a lenient view had been taken by the Authorities in this case.

7. The following issues were framed :-

- (1) Whether the domestic enquiry conducted against the workman is fair and proper ?
- (2) As in the term of reference ?

8. Both representative for the parties made statement that they did not want to lead any oral evidence and the case may be fixed for arguments on the preliminary issue.

9. I have heard representative for the parties and have gone through the record.

10. Shri P. P. Trikha representative for the workman made statement on 14-8-91 accepting the fairness and propriety of the enquiry and made statement that he had no objection if the issue regarding enquiry was found against the workman. In view of his statement I hold that the enquiry conducted by the management against the workman was fully justified and there was nothing illegal in this enquiry. Issue of enquiry is, therefore, decided accordingly.

11. The workman representative Shri P. P. Trikha while accepting the correctness/fairness of the domestic enquiry made statement that the workman had put in 27 years of service and as per certificate of the Ram Manohar Lohia Hospital and Willingdon Hospital the workman was suffering from tuberculosis and was physically in very bad shape. He prayed that no benefit of the length of service have been given to the workman because of his not having qualified for the pension. The reason for his not having qualified was due to his prolong sickness and he could not complete the required period for retirement benefits. He remained under suspension from 29-10-83 to 24-8-85. The period for which he remained suspended, if the same was treated for purposes of retirement benefits though he may not be made eligible for any salary for that period, the workman would become entitled to pensionary benefits and that could help the ailing man and his dependents. The workman's representative thus has only prayed that a lenient view in matter of punishment imposed upon him may be taken by this court.

12. Representative for the workman has also referred to para 521(10)(c) of the Sastri Award which provides as under :

"In awarding punishment by way of disciplinary action the authority concerned shall take into account the gravity of the misconduct, the previous record, if any of the employee and any other aggravating or extenuating circumstances that may exist. Where sufficiently extenuating circumstances exist the misconduct may be condoned and in case such misconduct is of the "gross" type he may be merely discharged with or without notice or on payment of a month's pay and allowances, in lieu of notice. Such discharge may also be given where the evidence is found to be insufficient to sustain the charge and where the bank does not, for some reason or other, think it expedient to retain the employee in question any longer in service. Discharge in such cases shall not be deemed to amount to disciplinary action."

The representative for the management on the other hand has urged that the management has already taken a lenient view and the Appellate Authority has not dismissed him from service but has only passed an order of discharge. Since the workman did not qualify for pension so no retirement benefits could be given to him.

13. On doing through the record of this case which is a peculiar case of its own kind, in which the only prayer

is like a mercy petition, it has not been disputed by the management representative that the workman was sick or suffered from T. B. In 1983 Supreme Court Cases (L & S) 210 it was held that in industrial jurisprudence disputes should be determined liberally in the context of social justice—so what is 'legal' may yet not be 'justified'—Tribunal may see if the action is not only 'legal' but also 'justified'. The order of the management was no doubt legal but keeping in view the length of the service of the workman i.e. 27 years and his ailing health at this stage. If a slightly more lenient view could have been taken that would have given him some pecuniary benefits though he was not to be reinstated to the post he was holding prior to the proposed action. He was not entitled to the benefits of reinstatement nor has it so been prayed during the arguments by the representative for the workman. I, therefore, while looking into this case on compassionate grounds hold that if the period during which the workman remained under suspension is treated as on duty he would become eligible for pensionary benefits though he need not be paid any salary for the said period for which he remained under suspension. I, therefore, order the management to give to the workman the retirement benefits whatever becomes due by treating his period of suspension from 29-10-83 to 24-6-85 as on duty without giving him any salary for the said period. This period shall only be treated as continuity in service for purposes of retirement benefits. All retirement benefits accruing therefrom are ordered to be paid to the workman. To this extent the order of the Appellate Authority is modified. Parties are left to bear their own costs of this dispute.

3rd October, 1991.

GANPATI SHARMA, Presiding Officer
[No. 1-12012/244-90-IR II(B-3)]

नई दिल्ली, 18 नवम्बर, 1991

का. घा. 3034.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय स्टेट बैंक के प्रबन्धन के संयुक्त नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण अधूरावाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को प्राप्त हुआ था।

New Delhi, the 18th November, 1991

S.O. 3034.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Ahmedabad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of State Bank of India and their workmen; which was received by the Central Government.

ANNEXURE

BEFORE SHRI N. A. CHAUHAN, CENTRAL INDUSTRIAL TRIBUNAL, AHMEDABAD

Reference (I.T.C.) No. 22/88

BETWEEN

The State Bank of India,
Ahmedabad.

.. 1st Party.

AND

1st workmen.

.. 2nd Party.

Regarding whether the action of the 1st party in terminating from service Shri J. M. Vadodia, Sweeper-cum-peon, from 4-9-1986, is proper or not.

Advocate—for the 1st party.—Shri M. J. Sheth.

Advocate—for the 2nd party.—Shri A. D. Desai.

JUDGEMENT

1. The present reference, as per the order No. L-12012(87) 88-D. 3(A) dated 23-8-1988 of the Labour Ministry of the Government of India, of the industrial dispute between the parties under Section 10(1)(Gh) of the Industrial Disputes Act, 1947, hereinafter referred to as the Act of 1947, has been entrusted to the Industrial Tribunal appointed at Ahmedabad, by the Govt. of Gujarat, for adjudicating, which reference has been allotted to us.

2. The Industrial Dispute between which is to be adjudicated is such that whether the action of the 1st party Bank is proper or not, of terminating the services of Shri J. M. Vadodia, who was working as a sweeper-cum-peon in the Madhupura Branch from 4-9-1986? And if it is not, to what relief is the concerned employee entitled?

3. The fact of the case is such that the concerned employee was engaged by the Madhupura Branch of the Bank to do cleaning work on lumpsum pay of Rs. 50 per month initially and thereafter of Rs. 100 per month. Thereafter, he was taken as Sweeper-cum-waterman from 15-4-1985. As sweeper-cum-waterman he was paid 3/4 of the pay of the cadre of the peon. He was terminated from service from 4-9-1986. At the time of termination he was not given any notice nor was he paid the retrenchment compensation. Therefore, the concerned employee has raised the present industrial dispute and has demanded that the action of terminating him is improper; as such he should be reinstated in service with full back wages.

4. The concerned employee has submitted the statement of demand at Exh. 6 and has stated that he was performing duties at the Madhupura Branch as part-time sweeper-cum-waterman from 1980 to 1985. He was paid lump sum pay of Rs. 50 per month initially and thereafter of Rs. 100 per month. But from 15-4-1985 he was appointed as sweeper-cum-messenger and he was paid half the pay which was payable to the cadre of the peon. During this period he was made to perform the duties of peon and messenger and he was carrying out his duties faithfully. Yet he has been terminated from service from 4-9-1986 without any prior intimation and some other employee has been taken up in his place. In this submission it is also stated that he was issued a warning letter on 29-7-1986 by the order of the Manager, Madhupura Branch, for carelessness, which was duly replied by him, refuting the charge levelled against him. Yet without holding any departmental enquiry he has been terminated from service from 4-9-1986. Therefore, the said action is illegal. Therefore, he should be re-instated in service with full back wages.

5. The bank has opposed the said demand by submitting written reply at Exh. 9. The submission of the Bank is such that the concerned employee was engaged from 1-6-1982 as a daily wage on a lump sum pay of Rs. 50 per month to doing the cleaning work of toilet, which pay was increased to Rs. 100 per month from 1-10-1984. Thereafter from 15-4-1985, the concerned employee was engaged as part time sweeper-cum waterman and he was paid 3/4 of the pay, payable to the full time sweeper cum-waterman. But he was appointed on temporary basis only till he was engaged as temporary part time sweeper cum-messenger. And on engagement of a permanent employee by the Selection Committee of the Bank, the concerned employee was terminated as part time sweeper-cum-waterman. Because the said employee was not selected for that post, it was not possible to engage him on permanent basis.

6. In support of their submissions the parties have submitted certain documentary evidence as also oral evidences. The concerned employees has examined himself at Exh. 16 in support of his submission, whereas the Bank, the 1st party, has examined Shri Dineshbhai, Manager, Madhupura Branch, at Exh. 22 and thereafter his successor, Shri Pathan, the Manager, at Exh. 24. There is no dispute between the parties on the basis of the oral as well as the written submissions by the parties regarding the fact that the concerned workman was engaged from July, 1981, on a monthly pay of Rs. 60 per month for misc. work such as cleaning of

toilet, fetching water, etc. As stated by the concerned employee as well as by the Manager, he was paid Rs. 50 per month initially. But the vouchers which have been submitted are for Rs. 60 per month. As such, it is possible that initially the pay of Rs. 60 per month may have been paid initially and thereafter the pay was made as Rs. 100 till 14-4-1986. The concerned employee was appointed as part time sweeper-cum-messenger from 15-4-1985. The pay of this part time post was fixed at 3/4 of the pay payable to the full timer. The concerned employee states that the pay was 1/2 but the documentary evidence submitted clarify that the pay was 3/4. And the advocate of the concerned workman Shri A. D. Desai also agrees with the same. There is no dispute between the parties that the concerned employee has been terminated from the post of sweeper-cum-messenger from 4-9-1986; and that before terminating he was not given any notice or he has not been paid any retrenchment compensation. But the reason for terminating was that the Selection Committee of the Bank had appointed one Shri R. A. Chauhan for that part time post of sweeper-cum-messenger. The concerned employee accepts the fact that he had also applied for the post of part time sweeper-cum-messenger but he was not selected and Shri R. A. Chauhan was selected and he was appointed.

7. Now the question to be decided is that in not selecting the concerned employee was there any absence of good faith on the part of the Bank or not? The Bank has framed Rules for the appointment of sweeper-cum-messenger and as per those Rules, all the employees who had put in 90 days service on temporary basis before 31-10-1984, were to be taken into consideration, for that post. The educational qualification for that post was also decided and accordingly the candidate should have passed upto std. VII and in addition he should have failed in the S.S.C. Accordingly the employees who has passed Std. VII and have also passed S.S.C. cannot be considered. Such qualification was fixed. As admitted by the concerned employee, he has only studied upto std. I and has only passed the 1st std. Relying on those circumstances, the submission of Shri Sheth is such that as the concerned employee is not possessing the qualification fixed for the post of sweeper-cum-messenger, he was not selected. Shri A.D. Submits that he has not been selected in view of the notice issued to the concerned employee by the Manager in July, 1986, for carelessness. Of course, the concerned employee was issued a notice in July, 1986, at Exh. 11, which was duly replied by the concerned employee vide S. N. 2 of the said note. But the selection of the sweeper-cum-messenger is made by the head office. The Manager, Madhupura Branch, had also written a letter recommending the selection of the concerned employee for the said post; a copy of which is submitted at S. N. 29 to the list at Exh. 17. The biodata of the concerned employee under his signature has also been enclosed along with that letter; and it was stated therein that the concerned employee has not studied upto 7th std. but has only studied upto 1st std. The educational qualification for the said post being passed 7th std., as such, the said employee has not been appointed on that post. It cannot be said that the said decision of the selection committee is capricious, because the concerned employee was not having the necessary qualifications for the said post. The concerned employee accepts that when he was appointed as part time sweeper-cum-messenger, the said post had fallen vacant on account of transfer of the employee working there. He was appointed on that post. And the said appointment was on temporary basis. In these circumstances it cannot be said that the concerned employee has not been appointed on the said post on account of capriciousness. The concerned employee was appointed on that post on temporary basis till the selection committee appoints a person on permanent basis. And on the appointment of a permanent employee on that post, he has been terminated. As such it cannot be said that the action of terminating the concerned employee is ill-intentioned.

8. Yet, as the concerned employee had worked on that post from 15-4-1985 to 4-9-1986 on temporary basis during the year before his termination he had worked on temporary basis for more than 240 days in the previous year, as such

before terminating him, the 1st party Bank was under obligation to issue to him the notice of retrenchment or a month's pay in lieu and retrenchment compensation. The daily wages of the employees engaged on temporary basis are entitled to the benefits of provisions under Section 25-F of the Act of 1947. Therefore, it was the duty of the 1st party Bank to issue to him the retrenchment notice or one month's pay in lieu as also the retrenchment compensation for the number of years worked on temporary basis. If compensation is not paid as such, the retrenchment is termed illegal. In the result the concerned employee's termination can be termed illegal when viewed like that. The submission of Shri Sheth is such that the concerned employee being the employee on temporary basis was not eligible for benefits of Section 25F. But this submission cannot be agreed to. Because such employees also get entitled to the benefits of Section 25-F. The concerned employee was eligible to the benefits of Section 25-F as stated above. Therefore, without issuing the notice of retrenchment and without paying retrenchment compensation, the action of termination from service can be termed as illegal. The submission of Shri Desai relying on these circumstances, is such that the concerned employee should be re-instated in service with full back wages. Generally, if the employee is terminated without implementing the provisions of Section 25-F of the Act of 1947, if an employee is terminated, the order terminating such employee gets automatically cancelled and, therefore, such employees get entitled for re-instatement in service with full back wages. But in our case, this general rule cannot be made applicable because the action of terminating the concerned employee was in good intention. The concerned employee was appointed on temporary basis. The selection committee has not taken into consideration the fitness of the concerned employee and selected the concerned employee; because he did not possess the qualification for that post. In these circumstances the action of terminating the concerned employee from service cannot be termed as capricious and illegal. The concerned has not only given the retrenchment notice and not paid the retrenchment compensation. Therefore, the said action can be termed illegal. In such cases when the retrenchment is in good faith and in such circumstances when the said employee prays for reinstatement on the said post, when he does not possess the qualifications for the same, it will not be proper to grant such relief. It will be proper in such cases that the employee is paid compensation in lieu. The Madras High Court has rendered a judgement in the case of 'Metrur Pharmaceutical Ltd.' which has been published in the Labour Law Journal, Vol. II, page 505. In this connection our High Court has rendered the judgement in the matter of Patel Avelin Ranchhodhbhai Vs. Gujarat Ayurved University, Jamnagar, is worthy of being taken into consideration. In the said judgement, our High Court has decided that when an employee is appointed on temporary basis (ad hoc), if he has the age more than that prescribed for the post, and for that reason, he is not appointed, he cannot claim for the said post. This judgement has been published in Labour Law Journal, 1988, Vol. 1, page 447. The position in our case is similar. As the employee does not possess the requisite qualification he cannot be employed on the post of sweeper-cum-messenger on permanent basis. Therefore, he has been appointed by the Bank. And on the appointment of a person by the selection committee on permanent basis, he has been terminated from service. In these circumstances, the concerned workman prays for the said relief for reinstatement in service is not proper to be granted in the interest of justice. The concerned employee has not been issued the retrenchment notice and has not been paid the retrenchment compensation. As such basically the order of termination can be termed illegal. And, therefore, it will be proper to order him to be paid the compensation instead of reinstating him in service. Had the 1st party Bank issued to him the retrenchment notice and paid the retrenchment compensation, to the concerned employee, no one could press for the relief prayed for. In our opinion, the concerned employee has worked for five years initially with the 1st party Bank for part time misc. work and thereafter he worked as part time sweeper-cum-messenger. As such, when he was terminated had he been paid 2 1/2 month's pay as retrenchment compensation and one month's pay as retrenchment notice that is an all 3 1/2 months' pay, the concerned em-

ployee could not have pressed for any more claim, against the Bank. Taking into consideration these circumstances, if the Bank is ordered to pay to him four years' pay which the concerned employee was drawing at the time of termination, the same will be termed proper. In the result in this reference the order as under is being passed :

ORDER

9. The action of the 1st party Bank of terminating the services of the concerned employee from 4-9-1986 is decided as illegal. But it is not proper to grant him the relief of reinstatement in service with full back wages. Because the retrenchment of the concerned employee was made in good faith. As such in lieu of that relief, the 1st party Bank is hereby order to pay to the concerned employee four years' pay which the concerned employee was drawing at the time of his termination. The Bank is also ordered to pay to the concerned employee Rs. 250 as costs of this reference.

Dated 3-9-1991,

Secretary, Ahmedabad.

N. A. CHAUHAN, Central Industrial Tribunal

[No. L-12012/87/88-D.III(A)]

S. C. SHARMA, Desk Officer

नई दिल्ली, 12 नवम्बर, 1991

का. आ. 3035.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार रीजनल प्रोविडेंट फंड कमीशनर के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण कलकत्ता के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-11-91 को प्राप्त हुआ था।

New Delhi, the 12th November, 1991

S.O. 3035.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Regional Provident Fund Commissioner and their workmen, which was received by the Central Government on 12-11-91.

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
AT CALCUTTA

Reference No. 135 of 1988

PARTIES :

Employers in relation to the management of Regional Provident Fund Commissioner, West Bengal

AND

Their workman.

PRESENT :

Mr. Justice Manash Nath Roy, Presiding Officer.

APPEARANCES :

On behalf of management—Shri J. K. Biswas, Advocate.
On behalf of workman—Shri M. S. Datta, Advocate.

STATE : West Bengal. INDUSTRY : Provident Fund.

AWARD

A dispute between the employers in relation to the management of Regional Provident Fund Commissioner, West Bengal (hereinafter referred to as the said Commissioner) and their workman to the following effect:

"Whether the Regional Provident Fund Commissioner, West Bengal, Calcutta, is justified in terminating

the service of the workman Shri Sabya Suchi Roy, Vacuum Cleaner, w.e.f. 23-4-86? If not, what relief the workman is entitled to?"

was referred for adjudication, before the Tribunal, by the appropriate government, vide Order of Reference No. L-15612/1/87-D.II(B) dated 15th October, 1987.

2. After usual notices parties to the dispute entered appearance, filed their respective statement and then lead their respective evidence on the points in issue.

3. The employee concerned Shri Sabya Suchi Roy (hereinafter referred to as the said employee), claimed that on or about 4th June, 85, pursuant to an order dated 3rd June, 1985, purely on contingent basis Vice R.O.'s order of that date as passed in file No. CT Chowkidar III, was appointed as a vacuum cleaner and since then, he has served the office of the said Commissioner continuously till 22nd April 1986, when he was asked not to join his duties on and from 23rd April, 1986.

4. It was his case that within the aforementioned period he served the office of the said Commissioner without any break and as such, he completed 323 days, which included holidays and as such, he acquired a right under the provisions of law, to be absorbed as a permanent staff. It was his further claim that the action of the management in terminating his services without assigning any reason, was not only unilateral, but the same was also in gross violation of law, illegal and against principles of natural justice, as he was not served with any notice to show cause, which he was entitled in law, as he had completed 240 days of continuous service, in terms of a valid appointment and thus acquired the necessary right to be treated as a permanent staff.

5. It was the further case of the said employee that one Shri Bejoy Kumar Dey was absorbed in the office of the said Commissioner even though he had less than 240 days service and as such, the action as taken was discriminatory. There is no evidence as to whether the said Shri Dey was absorbed in the post of a Vacuum Cleaner.

6. Thereafter the said employee on or about 31st May 1988, filed an additional written statement, contending *latteralia* amongst others that the post which was held by him was a permanent one and he was appointed in that post with assurance to be made permanent after one year, since joining the services, he has discharged his duties duly and to the full satisfaction of all concerned and in fact, they were very much satisfied with his work and that he was not paid retrenchment compensation, or notice pay, in terms of the provisions of the Industrial Disputes Act, 1947 (hereinafter referred as the said Act). He also contended that there was not compliance with Section 2(c) of the said Act and the conditions precedent for taking action was also not followed in terms of Section 25F of the said Act. It was of course the admitted case of the said employee that he was appointed in the concerned post on contingent basis and he was paid a sum of Rs. 20 per day, on no-work-no pay basis.

7. In the above circumstances, the said employee has prayed for a declaration that his termination of service was void and illegal one or for setting aside the same and as such, he will be entitled to all the consequential benefits.

8. The said Commissioner has taken the preliminary point with regard to the maintainability of the order of reference as made by the Central Government in this case and making of the said reference was also claimed to be completely without jurisdiction and unauthorised. It has also been contended that in view of the Administrative Tribunal's Act 1985, the said Tribunal is the only competent authority and not this Tribunal, to decide the list as referred to by the concerned reference. It has also been contended that in view of the subsequent (qualification under Section 14(3) of the Administrative Tribunal's Act, which has been made applicable to the Central Board of Trustees constituted under the Employees Provident Fund and Miscellaneous Provi-

sions Act with effect from 12th May, 1986, the Central Administrative Tribunal was given the sole jurisdiction, power or authority to try and decide all matters in relation to recruitment, from the said appointed date or matters concerning recruitment to any service or post in connection with the affairs of the Provident Fund Organisation and all service matters of a person appointed to any service or post in connection with the affairs of the Provident Fund Organisation and any matter connected with such affairs, no other Court or Tribunal except the Supreme Court of India can exercise jurisdiction over any connected matter as in this case. It was also contended that the provisions of the said Act are not applicable to the office of the Regional Provident Fund concerned, West Bengal, in view of the fact, since the said office is not an Industry within the meaning of Section 2(j) of the said Act and the said employee was also not a workman within the meaning of Section 2(s) of that Act.

10. In view of the above preliminary exceptions, it was claimed that the concerned order of reference is liable to be rejected, as there could be no Industrial Dispute between the said Commissioner and the said employee.

11. Without prejudice to the conclusions as made earlier and fully relying on the preliminary issues the said Commissioner, on merits, has at first taken the point that the additional written statement which was filed subsequently by the said employee was not authorised, since the same was filed without obtaining any leave from this Tribunal and so the same should not be relied. It was then contended that for cleaning the records of his office, by cleaning accumulated dust, it was decided to purchase a vacuum cleaner and to have the same operated for examining the effectiveness. It has been stated there is no sanctioned post for appointment of any person for operating the vacuum cleaner and the same was put into operation on test basis before it was decided by the said Commissioner as to whether such cleaner should be used permanently in the office. In such view of the matter, it has been stated there was need for appointing one person for operating the Vacuum Cleaner on daily rate basis and the caretaker of the office of the said Commissioner suggested the name of the said employee and accordingly, he was engaged on purely contingent basis at the rate of Rs. 20 per day of actual work. It has thus been claimed that the said employee was given the temporary assignment at the Lindsey Street Building of the office with effect from 4th June 1985. It has also been stated that the office of the said Commissioner has no power to appoint any person in permanent employment without recruiting him from amongst the candidates sponsored by the Employment Exchange and further, unless there is a sanctioned post no appointment can be given on permanent basis in the office. It was categorically stated that the said employee was engaged on a daily rate basis for a particular job.

12. In his written statement, the Commissioner has given a chart of 218 days work which the said employee has performed from June 1985 to April 1986 and it has been stated that as the Vacuum Cleaner was found and considered to be totally ineffective and not helpful in cleaning the dust of old records, it was decided by the said Commissioner not to use such cleaner any more and as such, on and from 22nd April 1986, the said employee was asked not to come to operate the same from 23rd April 1986. It has also been stated that since then, such cleaner has never been used in the office of the said Commissioner. Allegations of the said employee that from 4th June 1985 to 22nd April 1986, he rendered services without any break and as such he acquired a right under the said Act to be absorbed as permanent staff in the office of the said Commissioner, have been specifically denied. It was also denied that his services were terminated wrongfully, illegally and in gross abuse of process of law. In the circumstances as stated, it has also been denied that any show cause notice was required to be served on the said employee for discharging him from the work which he was temporarily performing and it was stated further that there was no illegality, arbitrariness or any gross violation of law, in having the services of the said employee discontinued. It was claimed that termination of service of the said employee in this case was absolutely legal, warranted and justified. The allegations of discrimination have also been denied by the said Commissioner.

13. In the circumstances as stated above, the said Commissioner has contended that the said employee was not entitled to any relief whatsoever and the reference should be answered against him and not otherwise.

14. In his reply to the additional written statement of the said employee, apart from the contentions as mentioned earlier and against the use of the same. The Commissioner has denied the contentions as sought to be raised by the said employee in the additional written statement and also denied the material particulars and allegations as mentioned therein.

15. There was a rejoinder filed by the said employee on 16th September 1988, wherein the material contentions as raised in the written statement of the said Commissioner have been categorically denied. In order to avoid repetition and prolixity, I am refraining myself from narrating the material particulars as contained in the said rejoinder.

16. From the evidence on record, the pleadings and the submissions, it is apparent that the said employee has claimed to have applied for the post, he was employed as a Vacuum Cleaner at a pay of Rs. 20 per day on no work no pay basis, the payment was made on vouchers and his appointment was on purely ad hoc or contingent basis Ext. W-1. The Vacuum Cleaner was put into operation at the office on trial basis and ultimately, the same was found to be not suitable and there is no evidence that the said cleaner is in operation now and it is in evidence that before leaving the office every day, the said employee used to enquire whether he will have to come on the next date. The Vacuum Cleaner, which was a new one, was put into operation on 4th June 1985. It would also appear that the Provident Fund organisation was purely a Government organisation and is run under the Central Board of Trustees and is under the Ministry of Labour and is organised and constituted by the Recruitment Board from the Employment Exchange. The Recruitment Rules are framed by the Government. When the Vacuum Cleaner was purchased in 1985, no post was sanctioned for the same. The said employee, because of his terms as aforesaid did not work on Saturdays and Sundays or on holidays. There is no guiding Rules for the class of employee to which the said employee belonged. Even if the said Vacuum Cleaner is put into operation now, a Vacuum Cleaner cannot be appointed as there is no sanction for the post. Exts. M-2 to M-4 were produced for establishing the fact that the said employee had worked for 218 days and not for 240 days in 11 months, if Saturdays and Sundays are excluded. The said employee was not admittedly served with any retrenchment notice or was paid any retrenchment compensation.

17. Shri Biswas, appearing for the said Commissioner firstly placed the fact and circumstances of the case as pleaded and claimed that the said employee, not having worked as a regular employee from 4th June 1985 to 27th April, 1986 and more particularly when, taking into consideration the services rendered by him for the actual dates in that period, which was 220 days, he was not entitled to any relief as claimed. He pointed out that admittedly the said employee worked for some time on daily basis and on the basis of no work no pay and on the decision taken, when he has not actually rendered 240 days work in year, he cannot get the benefits of Section 25F of the said Act and more particularly when, he has not rendered continuous service, he will not also be entitled to the benefits of Section 25B of the said Act, which defines continuous service. According to him in order to get the benefits of the said Section, the said employee will have to satisfy that he has actually worked for 240 days. It was his submission that since the said employee did not actually work on Saturdays and Sundays and that too taking into consideration his terms of employment and conditions of service, he will not be entitled to the benefits of having worked continuously for 240 days.

18. It was contended by Shri Biswas that the language of the section being "actually worked", Saturdays and Sundays and other holidays should be excluded from counting the days, the said employee had worked, for the purpose of entitlement of the benefits of the section. Since, if those days are deducted from the days he has actually worked, it would appear that he has not really worked for 240 days for necessary entitlement in terms of Section 25B(2)(ii), because under section 25F, he has thus admittedly not rendered continuous services for one year. In support of his submissions Shri Biswas referred to and relied on the decision in *Sir Enamel & Stamping Works Ltd. vs. their workmen*, AIR

(1960) SC 1914, wherein it has been observed that under section 25F of the said Act only a workman who has been in continuous service for not less than one year under an employer is entitled to its benefits. It has also been observed there that before a workman can be considered to have been completed one year of continuous service in an industry it must be shown first that he was employed for a period of not less than 12 calendar months and next, during those 12 (twelve) calendar months, he has worked for 240 days. Therefore, a workman who has not at all been employed for a period of 12 months would not satisfy the requirements of Section 25B and would not be entitled to the benefits of Section 25B and 25F. In addition to the above, reference was also made by Shri Biswas to the Division Bench judgement of the Madras High Court in the case of *A. Parthasarathi & Anr. vs. The Management of Standard Motors Products of India Limited & Anr.*, DLR 1979 Mad 261, where the point regarding eligibility of continuous service for not less than one year was under consideration amongst others and it has been indicated in the facts of that case that continuous service for not less than one year would mean unbroken period of service from the date of entry till the date of closure, apart from indicating further that there can be no doubt that for the purpose of applicability of Section 25F, each completed year of continuous service is the block of one year each from the date of entry into service and with reference to each such block of one year from the date of entry into service, it will have to be tested whether the workman could be said to have been under continuous service applying the definition of Section 25B. While testing whether the workman was under continuous service, Clause (1) of Section 25B will have to be applied first and if the period in that block of one year is uninterrupted within the meaning of that Clause then he can be said to be in continuous service for that year. But, if there was a break or interruption for any particular period in a year, then Clause (1) is not applicable. Even in such a case, he will be deemed to be in continuous service if he had complied with the provisions of Clause (2) of the Section. In that case, a question arose as to whether actual meaning should be given to the words actually worked under the employer for not more than 240 days and it was contended that in calculating 240 days, Saturdays and Sundays and paid festival holidays will have to be included. A contrary contention was raised to the effect that the words actually worked under Section 25B(ii) clearly implies and shows that Saturdays and Sundays and paid holidays should not be included in calculating 240 days. Such submissions found favour with the Learned Judges in their judgement and it has been observed that the number of working days worked by a workman in a completed year of service will have to be worked out with reference to the actual working days, if it is a case falling under clause (ii). In view of the above decision Shri Biswas claimed and contended that the reference as made was bad and the case under consideration was not either a case of retrenchment or termination under Section 2(oo) of the said Act and in support of the submissions, reference was made to the case of *State Bank of India vs. C. N. Sundra Money*, AIR (1976) SC 1111, wherein it has been observed that 'Termination' for any reason whatsoever in the section are the key words. Since every termination spells retrenchment, so the sole question is, has the employees' service been terminated? The substance is decisive, a termination takes place where the term expires either by active step of the master or the running out of the stipulated term. It embraces not merely the act of termination by the employer but the fact of termination however produced. It has also been observed that to write in the order of appointment the date of termination confers 'muksha' from section 251(b) is inferable from the proviso to section 25F(a) and the transitive and intransitive senses are covered in the current context, moreover an employer terminates employment merely by passing an order as the service runs. He can do so by writing a composite order, one giving an employment and the other ending or limiting it, a separate subsequent determination is not the sole magnative proof of the provision. A punitive termination is struck by the same service as the post appointment termination.

19. While on the preliminary point as indicated earlier namely organisation of the said Commissioner namely Provident Fund Organisation is not an industry, reference was made by Shri Biswas to section 2(j) which defines "industry" and in particular reference was made to Explanation (6), which speaks of any activity of the Government relating to the sovereign functions of the Government including all activities.

vities carried on by the department of the Central Government within which, defence research, atomic energy and space will not come. It was contended by Shri Biswas that Provident Fund Organisation, which discharges sovereign government function or whose dealings may come within these terms, will not thus be an industry and as such, the reference as made, was bad. In support of such submissions reference was made to the case of Regional Provident Fund Commissioner, Karnataka vs. Workmen represented by the General Secretary Karnatak Employees Union & Anr. AIR (1984) SC 1897, where the point for determination was whether dispute concerning office of the Regional Provident Fund Organisation established under the Provident Fund Act is an industry and who should be the appropriate Government to make a reference and it has been observed that the business of the Provident Fund Organisation is government in character and does not pertain to any industry to which Provident Fund Act applies. The management and the workmen of the industries to which the Provident Fund Act applies contribute to fund established under the Act. The business of the statutory bodies functioning under the Act is not the business of the industries whose management and workmen make contribution to set funds having regard to the various provisions of the Act, the nature of business carried on by the Central Government, the State Board, the Regional Committee, the Regional Provident Fund Commissioner, the State Government is not the appropriate Government under section 2(a) of the Act to make a reference in the matter of Industrial Dispute arising between the Management and Workmen of the Regional Provident Fund Commissioner, the appropriate authority is the Central Government. On the basis of the decision as referred to hereinbefore and the findings therein, Shri Biswas wanted to supplement his submissions that Provident Fund Organisation, which discharges the duties under the Central Act will thus be, an authority which discharges the duties an activity of the Government relating to Sovereign functions of the Government and so the reference was incompetent.

20. It was also contended by Shri Biswas that Section 14 of the Central Administrative Tribunal Act clearly ousts the jurisdiction of this Tribunal to deal with and decide the reference and it at all, such dispute can be entertained before the Central Administrative Tribunal and to establish that, reference was made by him to the observations in the case of State of Punjab vs. Shri Kuldip Singh & Anr., AIR (1983) NOC 94, where it has been observed, while dealing with section 2(i), an establishment of construction and maintenance of National State High Way is not an "Industry", apart from indicating that Public Works Department (Building and Road Branch) will not be an industry.

21. Shri Dutta contested the claim of Shri Biswas that the Provident Fund Organisation is not an industry and his specific submission was that the same should certainly be an industry under Section 2(i) of the said Act, if the necessary tests are duly applied. For the purpose of establishing the necessary tests to be followed, he firstly, relied on the case of Bangalore Water Supply and Sewerage Board etc. vs. A. Rajappa & Anr. (1978) 2 LLJ 73, where it has been observed that absence of profit, motive is irrelevant wherever the understanding is, whether in public, joint, private or other sector and the decisive test is functional nature of activity with special emphasis on employer and employee relationship. It has also been indicated that "Industry" takes into its fold, undertakings, callings and service adventures, analogous to the carrying on of trade or business and (i) professions, (ii) clubs, (iii) educational institutions, (iv) co-operatives, (v) Research institutes, (vi) Charitable projects and (vii) other activities, if they fulfil the Triple Test, cannot be exempted from Section 2(i), but voluntary legal service clinics, similar voluntary service by Doctor in their spare time will be exempted. The dominant nature test will be what is the "dominant activity and sovereign function", if strictly understood, alone will qualify for exemption and if sovereign functions are severable in some department, they will come under Section 2(i). I think the sovereign power in this case is not severable. Then, reference was made to the case of Gopal vs. The Administrative Officer, Madhya Pradesh Khadi & Village Industries Board & Ors., (1986) 1 LLJ 58, where it has been indicated on construction and consideration of Section 2(19)33 of Madhya Pradesh Khadi and Village Industries Board constituted under Khadi and Village Industries Act, 1959, to encourage khadi and village industries, that the said Board is an industry. The third case on which reference was made, was the case of Des Raj etc. Vs. State of Punjab

& Ors., (1988) Lab I.C. 1713, where it has been indicated that Irrigation Department of Government and its functions, when subjected to dominant nature test, will clearly come within the ambit of Section 2(i). Then and fourthly, reference was made to the case of Dhani Gram Panchayat Vs. Saurashtra Majdoor Mahajan Sangh & Anr., (1988) 1 LLJ 468, where the proceedings was dismissed on holding that Octroi section of Panchayat was not an industry and the High Court reversed such finding and observed that in a proceeding under Article 226 of the Constitution of India, the Court can interfere with retrenchment and grant necessary relief and no interference with such finding was made by the concerned department, were retrenched from service and such action was found to be malafide, but it was observed that the Octroi Department was not an industry.

22. To contest the claim on the preliminary point as indicated earlier and in support of his contrary contentions, reference was made by Shri Dutta to the determinations in the case of S. K. Verma Vs. Mahesh Chandra & Anr., (1983) 2 LLJ 429. That case related to the adjudication of industrial disputes relating to dismissal of a Development Officer by the Life Insurance Corporation of India and the authorities took a preliminary objection regarding the maintainability of the reference on the ground that officer concerned was not a workman. The objection was initially upheld by the authority and a Writ Petition being filed that order was also dismissed and on appeal, considering the nature of duties of Development Officer and the terms and scope of their employment and the amended definition of Section 2(i), it has been held that they are workmen within the meaning of Section 2(i). As indicated earlier, Shri Biswas placed strong reliance on A.I.R. (1984) S.C. 1897 and more particularly to paragraphs 5, 6 and 8 of that report on the question of preliminary point as raised by him, but in reply, Shri Dutta referred to paragraph 9 of the report and claimed the same to be distinguishable and not applicable in the facts of this case and Shri Biswas, contended that the said paragraph 9 should not be read in isolation of the paragraphs as referred to by him and if all, the paragraphs are read together then Shri Dutta's submissions cannot be accepted and it must be held that the determination is appropriately applicable in this case. In my view, there is ample justification in such submissions of Shri Biswas and as such, the Provident Fund Organisation can be held to be duly coming under the purview of Explanation (6) to Section 2(i). In support of his contentions, reference was also made by Shri Dutta to the case of R. Sreenivasa Rao vs. Labour Court, Hyderabad and Anr., (1990) 2 LLJ 577, which too in my mind will not apply duly in this case.

23. It was contended by Shri Dutta that when the said employee has completed 240 days, taking into consideration the Saturdays and Sundays, so it was a case of retrenchment under Section 25F of the said Act and in support of his contentions, he relied on the case of The Workman of American Express International Banking Corporation vs. The Management of American Express International Banking Corporation, (1985) 2 LLJ 539, where the services of a temporary typist clerk was terminated without complying with the provisions of Section 25F of the said Act and the workman raised the plea that he had actually worked 275 days in a period of 12 months on counting Sundays and other paid holidays. Contrary contentions were raised by the employers contending that Sundays and other paid holidays should not be included and counted as days on which he had actually worked in calculating his continuous service. It has been held that Sundays and other paid holidays should be taken into account, in counting the number of days the workman had actually worked. Thereafter, reference was made to the case of Shri H. D. Singh vs. Reserve Bank of India and Ors. (1986) 1 LLJ 127, where, on facts of the case, it has been held amongst others that in the absence of any records produced by the Bank, the case of the employees that he has worked for more than 240 days has to be accepted as true. The workman in that case was Tikka Mazdoor, his name was struck off from the list and was refused work without any written order of termination on the plea that he was disqualified for the post being a Matriculate, based on a confidential Circular. The action was held to be a case of retrenchment and as such violative of the mandatory provisions of the said Act. Then, a reference was also made to the case of Chagga Lal vs. Panchayat Samiti & A -

has been indicated on the basis of the records as produced that for computing 240 days, Sundays and paid holidays are to be taken into consideration. On the basis of the aforesaid decisions, it was Shri Dutta's contentions that when the said employee had worked for more than 240 days, he was entitled to the benefits of Section 25F and be paid accordingly. In this case, the records were duly produced by the said Commissioner to support the contentions regarding the days the said workman had worked.

24. To establish the consequences of non payment, Shri Dutta first referred to the case of *M/s. Gammon India Ltd. vs. Shri Niranjan Das*, (1984) 1 LLJ 233, Punjab Land Devt. and Reclamation Corpn. Ltd., Chandigarh etc. vs. Presiding Officer, Labour Court, Chandigarh etc. & Ors., (1990) 2 LLJ 70 and also to the case of *Mohan Lal vs. The Management of M/s. Bharat Electronics Ltd.*, A.I.R. 1981 S.C. 1253, where it has been indicated amongst others that before a workman can complain of retrenchment being not in consonance with Section 25F, he has to show that he has been continuous service for not less than one year under that employer who has retrenched him from service and the said section is a directory clause for the expression continuous service apart from indicating that the relevant date for counting such service is the date of termination from the date of entry and within that period, he has to establish 240 days of service within a year. In this case, the case of the said Commissioner was that if Saturdays and Sundays are excluded, then the said employee has not satisfied the test of 240 days service in a year. Of course the said employee contended otherwise. Since the said employee was not a workman within the meaning of Section 2(s) of the said Act, he in my view, was not required to be paid retrenchment compensation, as his case was not one of retrenchment and more particularly because of his terms of service and conditions of employment, which was known to him and furthermore, when admittedly his tenure was brought to an end because of the special circumstances of the case, he cannot claim to be a permanent staff and he cannot claim to have rendered continuous service, the consequences as mentioned in the reported case will not be applicable.

25. I have indicated earlier, the replies of Shri Biswas against the contentions of Shri Dutta on the preliminary points as raised. Shri Biswas further contended that the determination in 1988 Lab. I.C. 1717 have not really overruled the determinations in 1983 Lab. I.C. 529 and to my mind, if the determinations are examined duly, then Shri Biswas was right in his contentions in reply, that such submissions of Shri Dutta were not correct of any avail.

26. On merit, Shri Biswas was also justified in his contentions that the case of (1985) 2 LLJ 539 are distinguishable from the facts of the present one and so also the determinations in (1986) 1 LLJ 127, if the circumstances leading to such decisions are considered. Shri Biswas with justification further contended that the case of ILR 1979 Madras 261 will fairly and squarely apply to the facts of the case and Shri Dutta has not really dealt with or answered the determination in A.I.R. 1963 1914, which was relied on by him.

27. In view of the recordings as made by me earlier and the observations made, I think first of all, the preliminary submissions as made, should be decided. While on that point, it appears to be that because of the paramount functions the Provident Fund Commissioner's Organisation discharges or because of their dominant workings, the same cannot be considered as an industry and that too in view of the observations in A.I.R. (1964) S.C. 1897 which was of course to be distinguished by Shri Dutta without any effect and merit. Thus, the said Commissioner cannot be held to be or observed as carrying on an industry in terms of the definition of Section 2(j) of the said Act read with explanation 6 thereunder.

28. In such view of the matter and findings, I do not think it necessary to decide other preliminary point viz. because of the provisions of the Central Administrative Tribunal's Act, 1985 and the notification made thereunder and so also because of Section 14(3) of that Act, the Central

Board of Trustees constituted under the Employees Provident Fund and Miscellaneous Provisions Act, this Tribunal is denuded of the powers to hear the reference as made under the said Act. While on the question of ouster of jurisdiction, reference was placed by Shri Biswas on the case reported in A.I.R. 1983 NOC 94.

29. I am not also deciding the other preliminary point viz. since the additional written statement was filed subsequently by the said employee without the leave of the Tribunal, the same was unauthorised, as admittedly the said statement was accepted by the Tribunal. If the working of the said Commissioner do not come under Section 2(j) of the said Act and more particularly when, the said employee was employed as a casual labour on contingent basis and his employment was subject to possibility if the concerned Vacuum Cleaner worked permanently and there was no sanction for the post of Vacuum Cleaner, as it appears from the recorded evidence, so the submissions of Shri Dutta that the action as taken was bad since the provisions of Section 2(j) of the said Act, were not complied with should fail, as they are without any merit, because in such view of the matter, the action as taken cannot be considered to be a retrenchment in terms of the said Section. Here, I think the evidence as scanned and recorded by me in paragraph 10 of the Award should be looked into and considered. Really, there was no evidence contrary to the evidence as recorded in paragraph 16 and more so when, there was adequate and ample evidence to show that the said employee was appointed as a casual labour, purely on contingent and ad hoc basis and on the basis of no work no pay and he himself used to enquire at the time of leaving the office, whether he was to come on the next date, which again shows that he specifically knew the character of his employment. In fact, there is no contrary evidence on the point.

30. In view of the above findings, I think the effect whether Sundays and Saturdays should be included or excluded in counting the days of work viz. whether the said employee has worked for 240 days or more or less, is not required to be considered and that too because, his employment was casual in nature and purely on contingent and ad hoc basis and, there has neither been any sanction for the post of Vacuum Cleaner nor there is evidence that the said Vacuum Cleaner is being operated now and the recorded evidence is otherwise. In that view of the matter, I also find that the terms of the words "actually worked" as used in the section, is also not required to be enquired into or taken into consideration. There is no doubt that when a termination takes place on the expiry of the terms either by efflux of time or active steps of the employer on running out of the stipulated terms the effect of the same is required to be considered and here in this case in view of the recordings as made, it cannot but be held that actually there was termination, for which the said employee's case can come within the definition of retrenchment and thus entitling him the benefits under the said Act.

31. So, on the basis of the evidence as recorded, the pleadings of the parties and the records as produced, I think that this reference cannot be answered in favour of the said employee and as such, the same should be rejected.

This is my Award.

Dated, Calcutta,

The 11th October, 1991.

MANASH NATH ROY, Presiding Officer

[No. L-15012/1/87-D.II(B)(Pl.)]

K.V.B. UNNY, Desk Officer

नई दिल्ली, 15 नवम्बर, 1991

का. आ. 3036.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार यूनाईटेड कमर्शियल बैंक के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, जयलपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 12-11-91 को प्राप्त हुआ था

New Delhi, the 15th November, 1991

S.O. 3036.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Jabalpur as shown in the Annexure in the Industrial dispute between the employers in relation to the management of United Commercial Bank and their workmen, which was received by the Central Government on the 12-11-91.

ANNEXURE

BEFORE SHRI V. N. SHUKLA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT JABALPUR (M.P.)

CASE NO. CGIT/LC(R)(179)1989

PARTIES :

Employers in relation to the management of United Commercial Bank, Nagpur(M.S.) and their workman, Shri S.D. Lamsoge, represented through UCO Bank Organisation, House No. 542, Dr. Munje Marg, Congress Nagar (M.S.).

APPEARANCES :

For Union/Workman—Shri S. T. Sahasrabudhe, Asstt. Secretary, Vidarbha Bank Employees Federation.

For Management—Shri S. V. Yadav.

INDUSTRY : Banking. DISTRICT : Nagpur(M.S.)

Dated, October 28, 1991

AWARD

This is a reference made by the Central Government, Ministry of Labour, vide its Notification No. L-12012/159/89-D 2(A) dated 19th September 1989, for adjudication of the following dispute :—

“Whether the action of United Commercial Bank in terminating the services of Shri S. D. Lamsoge was justified? If not to what relief is the workman entitled?”

2. Facts of this case are that the workman Shri S. D. Lamsoge, was appointed as Sub-Staff(Peon) and was working with the management at Sirsi Branch since 26-4-1984. His services were terminated with effect from 17-4-1986. He was not given any retrenchment notice or compensation under Sec.25-F of the I.D. Act.

3. The workman says that terms and conditions of Bank employees are governed by the provisions of Sastri Award, Desai Award as also Bipartite Settlement Sub-staff/Peons are operating in almost all the branches of the Bank. He worked from 26-4-84 to 17-4-86 as follows :—

Year	No. of days worked
1984	246 days
1985	293 days
1986	42 days

Thus though the services of the workman were utilised practically without any break he was not paid wages for Sundays and Bank Holidays. He has continuously worked for more than 240 days within one year. He was paid Rs. 5 per day in the year 1984 till September 1985. Thereafter the rate was enhanced to Rs. 7 per day. The workman was entitled to receive wages as per rate prescribed for Sub-staff under the provisions of the Bi-partite Settlement. Thus he was paid much less than to what the workman was actually entitled. He was not paid any bonus, nor wages for Holidays and Sundays. The following work was extracted from him from 10.30 A.M. to 6.30 P.M.

1. Cleaning the premises of the branch and fetching water for the branch.
2. Bringing Postal Dak for the branch and despatching the Dak of the branch.
3. To fill in Telegram Bills.
4. To bring vouchers and attend the counter for taking payment vouchers to the Cashier.
5. To prepare Loan Vouchers.
6. To do any other job as per advise of the Manager and staff.

Thus he was performing the duties required to be performed by the permanent Sub-Staff. Prior to the appointment of the workman one Shri Bharat Fuse and one Shri Narayan Gharpade were working as Sub-staff at the Sirsi Branch. Shri Fuse was transferred in the year 1983 and the present workman was appointed in his vacancy. After termination of the services of the workman Shri Vidyadhar Wanjari was appointed in his place whose services were also terminated later on and thereafter Shri Baba Mangrudkar was appointed.

4. Thus instead of filling up the permanent vacancy the services of the workman were exploited and unfair labour practice was adopted. In order to avoid the obligation of law name of the workman was not shown on the muster roll of the branch nor the wages were paid to him through the salary sheet despite the provisions of the Bipartite Settlement. Thus his termination is void ab initio being contrary to the provisions of Sec.2(oo), 25-F, 25-G & 25-H of the I.D. Act. He is, therefore, entitled to the following relief :—

- (1) Reinstatement with full back wages as per B.P. Settlement the termination being illegal and unjustified with effect from 17-4-86.
- (2) Wages as per the rate prescribed in the Bipartite Settlement for all the days he has worked in the Bank before termination of his services.
- (3) Wages for Holidays and Sundays before the termination of service.
- (4) Bonus for all the years after his employment in the Bank.

(5) All the benefits of leave, seniority, back wages and other benefits payable and entitled to the permanent employee of the bank right from the first date of appointment.

(6) Any other relief with costs.

5. Management says that the Union has no locus standi to raise this dispute. Reference is bad. He was a casual worker and he was paid wages as given to the casual employee with his consent. He was purely a helper and continued till a permanent employee was posted and selected through the Employment Exchange. For the purposes of appointment on the said post registration with the Employment Exchange is re-requisite and the workman is required to pass certain test conducted by the Bank for recruitment of permanent employee. The workman concerned has not applied for the post advertised by the Bank. His services were for a stipulated period, under stipulated term. He is not entitled to any retrenchment compensation and it does not amount to retrenchment under the provisions of the I.D. Act.

6. Reference was the issue in this case.

FINDINGS :

7. The workman has examined himself as W.W.1 and Baman Duttatray Bhalerao as W.W.2. Baman Duttatray Bhalerao (W.W. 2) is the Asstt. Secretary of UCO Bank Workers Organisation. He has proved documents Ex. W/1 to Ex. W/3 to show that the Union has rightly raise the dispute of the workman concerned.

8. Management has neither produced any document nor examined any witness. Workman's contentions remain unchallenged not from the pleadings but also from the affidavit of the workman concerned who was cross-examined by the Management.

9. Without dealing with the other aspects of the case suffice it to say that the service of the workman was terminate in violation of Sec 25-F of the I.D. Act and fact remains that he is working since 26 4-84 and has worked for more than 240 continuous days in a year. Simply because he was not employed through the Employment Exchange or he did not pass the required test does not make him disentitle to the retrenchment notice and compensation as required by Sec. 25-F of the I.D. Act.

10. It is a case of retrenchment simplicitor and there are various pronouncements of the Supreme Court in this regard. See—

1. State Bank of India Vs. Sundramoney 1976-I-LLU page 476.
2. Santosh Gupta Vs. State Bank of Patiala AIR 1980 (SC) 1219.
3. L. Robert D'Souza Vs. Executive Engineer, Southern Railway 1982 LIC p. 811.

11. It is needless to say that the management should have employed the workman through the Em-

ployment Exchange even in the initial stage. It is also not understood as to what particular tests are required for the appointment of a sub-staff of a casual. Such cases of violation of the provisions of law are at increase despite repeated pronouncements of the Supreme Court which ultimately result in making payment to the workman, for the period in which he has not worked at all and his services were kept out. In this view of the matter, serious doubts arise as to whether these are the types of cases where the management at one hand wants the entry of the workman in violation of law and then his reinstatement thereafter by violating the law. Thus the costs of this case should be recovered; from the defaulting officer and adequate enquiry be held in this regard.

12. I accordingly hold that the termination of the workman was not justified. He is entitled to reinstatement with full back wages and consequential benefits arising therefrom including regularisation. The management shall also consider the other claims made by the workman such as payments of Holidays and Sundays etc. etc. The management shall pay Rs. 500/- as costs of the proceedings to the workman. Reference is cordingly answered as follows :—

The action of the United Commercial Bank in terminating the services of Shri S. D. Lamsoge was not justified. He is entitled to be reinstated with full back and all ancillary reliefs. The management shall also consider other claims as observed above. Management shall pay Rs. 500/- as costs to the workman which should be recovered from the defaulting officer.

V. N. SHUKLA, Presiding Officer
[No. L-12012/159/89-D. II(A)]

का. भा. 3037.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार यूनियन बैंक ऑफ इण्डिया के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निश्चित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधि-करण, नई दिल्ली के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 13-11-91 को प्राप्त हुआ था।

S.O. 3037.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the award of the Central Government Industrial Tribunal, New Delhi, as shown in the Annexure in the Industrial dispute between the employers in relation to the Management of Union Bank of India and their workmen, which was received by the Central Government on 13-11-91.

ANNEXURE

BEFORE SHRI GANPATI SHARMA, PRESIDING OFFICER : CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL : NEW DELHI

I.D. No. 98/91

In the matter of dispute.

BETWEEN

Shri Jugal Kishore through General Secretary,
Union Bank Employees Union, 628/M-33,
Murari Nagar, Faizabad Road, Lucknow.

Vs.

Deputy General Manager, Union Bank of India,
Zonal Office Hot Clerk Ayadh, Lucknow-
226001.

APPEARANCES : None.

AWARD

The Central Government in the Ministry of Labour vide its Order No. L-12012/129/91-I.R.B.-2 dated nil has referred the following industrial dispute to this Tribunal for adjudication :

"Whether the action of the management of Union Bank of India is justified in denying scale wages to Shri Jugal Kishore, Part time Sweeper ? If not, to what relief is the workman entitled ?"

2. The case was fixed for the filing of claim by the workman when the parties entered into a settlement and filed the settlement Ex.M-1. The settlement runs as under :

"On mutual discussion held between the Management and Shri Jugal Kishore (Through Union Bank Employees Union) the dispute relating to him under reference has been settled amicably on the following terms and conditions :—

Terms and Conditions :

1. That the Management agreed to enhance the wages of Shri Jugal Kishore, P.T.S., Baraut Branch from 1½ scale of wages to 3¼th scale of wages with effect from 15-10-1991.
2. That it is agreed that Shri Jugal Kishore shall not be entitled, or, for that matter, claim any back wages/emoluments and other benefits monetary or otherwise service seniority etc.
3. That this fully and finally resolves the entire matter of dispute under reference between the said Jugal Kishore/Union & Bank Management.
4. That this settlement will not be quoted as precedent to any other dispute(s)."

3. In view of the above settlement no dispute exists between the parties. Parties shall remain bound by the terms of settlement and are left to bear their own costs.

GANPATI SHARMA, Presiding Officer
[No. L-12012/129/91-IR(B-II)]

BEFORE THE PRESIDING OFFICER, CENTRAL
GOVERNMENT INDUSTRIAL TRIBUNAL,
NEW DELHI.

I.D. CASE NO. 98/91

Shri Jugal Kishore

Through General Secretary, Union Bank Employees
Union.

V/s.

Union Bank of India

Sir,

On mutual discussion held between the Management and Shri Jugal Kishore (Through Union Bank Employees Union) the dispute relating to him under reference has been settled amicably on the following terms and conditions :—

Terms and Conditions :

1. That the Management agreed to enhance the wages of Shri Jugal Kishore, P.T.S., Baraut Branch from 1½ scale of wages to 3¼th scale of wages with effect from 15-10-1991.
2. That it is agreed that Shri Jugal Kishore shall not be entitled, or, for that matter, claim any back wages/emoluments and other benefits monetary or otherwise service seniority etc.
3. That this fully and finally resolves the entire matter of dispute under reference between the said Jugal Kishore/Union & Bank Management.
4. That this settlement will not be quoted as precedent to any other dispute(s).

PRAYER

It is, therefore, prayed that the Award may kindly be given in terms of the above settlement in the interest of the justice.

FOR WORKMAN

FOR UNION BANK OF

INDIA

Sd/-

Sd/-

(S.D. MISHRA)

(B. SAMAL)

General Secretary,

Dy. General Manager

Union Bank Employees Union

S.N. MEHRA,

PERSONNEL OFFICER

Authorised Representative

का. ग्रा. 3038.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भारतीय जीवन बीमा निगम के प्रबन्धतंत्र के संबद्ध मियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधि-करण, भुवनेश्वर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-11-91 को प्राप्त हुआ था।

S.O. 3038.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Bhubaneswar as shown in the Annexure in the Industrial dispute between the employers in relation to the management of Life Insurance Corporation of India and their workmen, which was received by the Central Government on 11-11-91.

ANNEXURE

INDUSTRIAL TRIBUNAL, ORISSA, BHUBANESWAR

PRESENT:

Shri R. K. Dash, LL.B.,
Presiding Officer,
Industrial Tribunal,
Orissa, Bhubaneswar.

INDUSTRIAL DISPUTE CASE NO. 9 OF 1990
(CENTRAL)

Dated, Bhubaneswar, the 30th October, 1991.

BETWEEN :

The Management of Life Insurance Corporation
of India, Cuttack....First Part-Management.

AND

Their workman Sri Simanchal Padhy,
At P.O. Gunpur-765 022,

Dist. : Koraput

Second Party-workman.

APPEARANCES :

None.—For both the parties.

AWARD

The Government of India in the Ministry of Labour, in exercise of powers conferred upon them by clause, (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) and by their Order No. L-17011/61/89-IR(B) dated 7th March, 1990 have referred the following dispute for adjudication by this Tribunal :—

“Whether the action of the management of LIC of India in terminating the services of Sri Simanchal Padhy, Ex-Development Officer w.e.f. 29-5-1984 is fair and justified ? If not, to what relief the workman concerned is entitled ?”

2. This case had been posted to 14-10-91 for hearing. On that day both the parties remained absent and did not take any steps. It appears that the parties do not have any interest to conduct their case. In the circumstance, I think there exists no dispute between the parties. Hence, I pass this No dispute Award so far as this reference is concerned.

Dictated & corrected by me,

R. K. DASH, Presiding Officer
No. L-17011/61/89-D.II.(A)]

V. K. VENUGOPALAN, Desk Officer

